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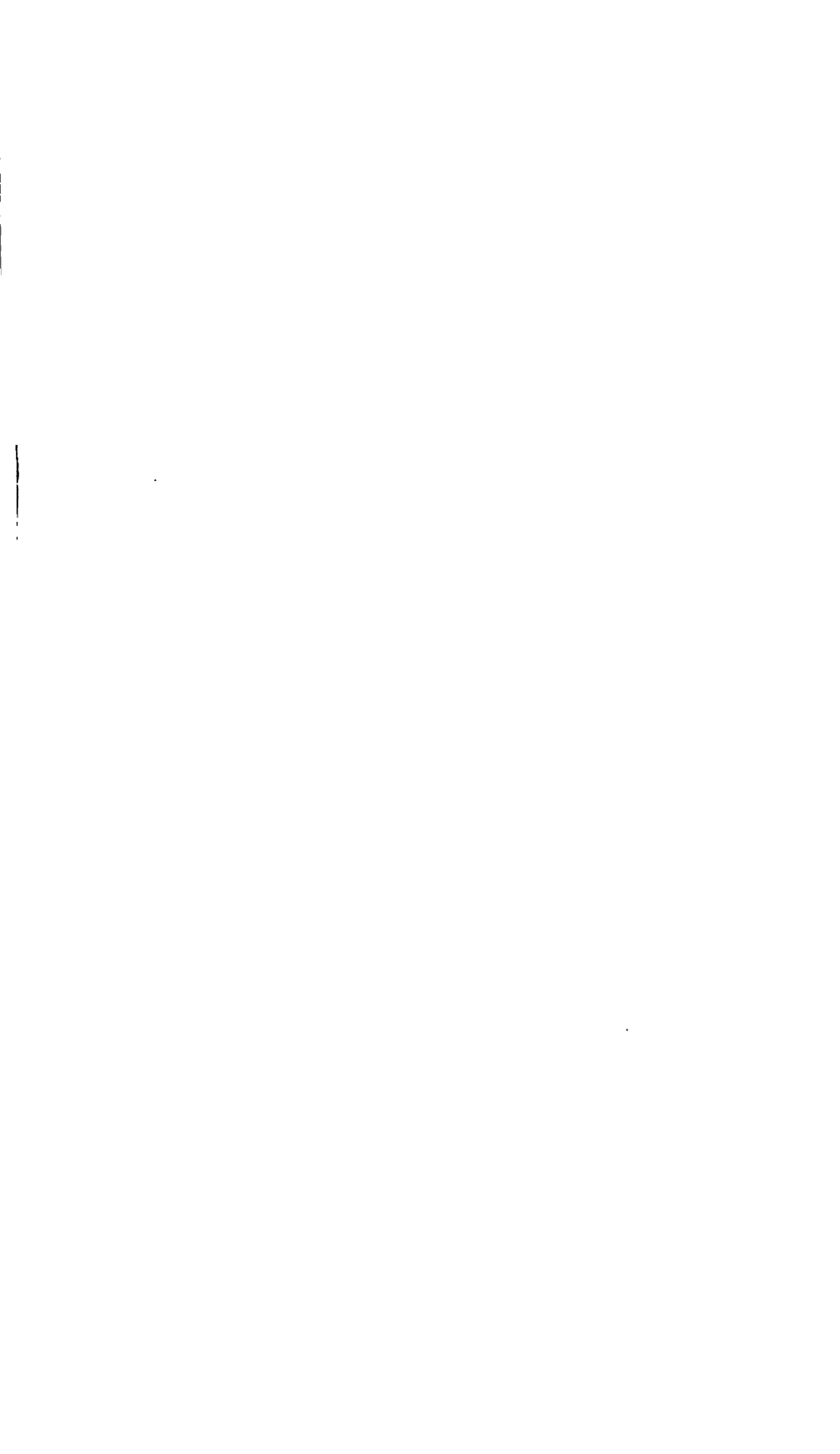
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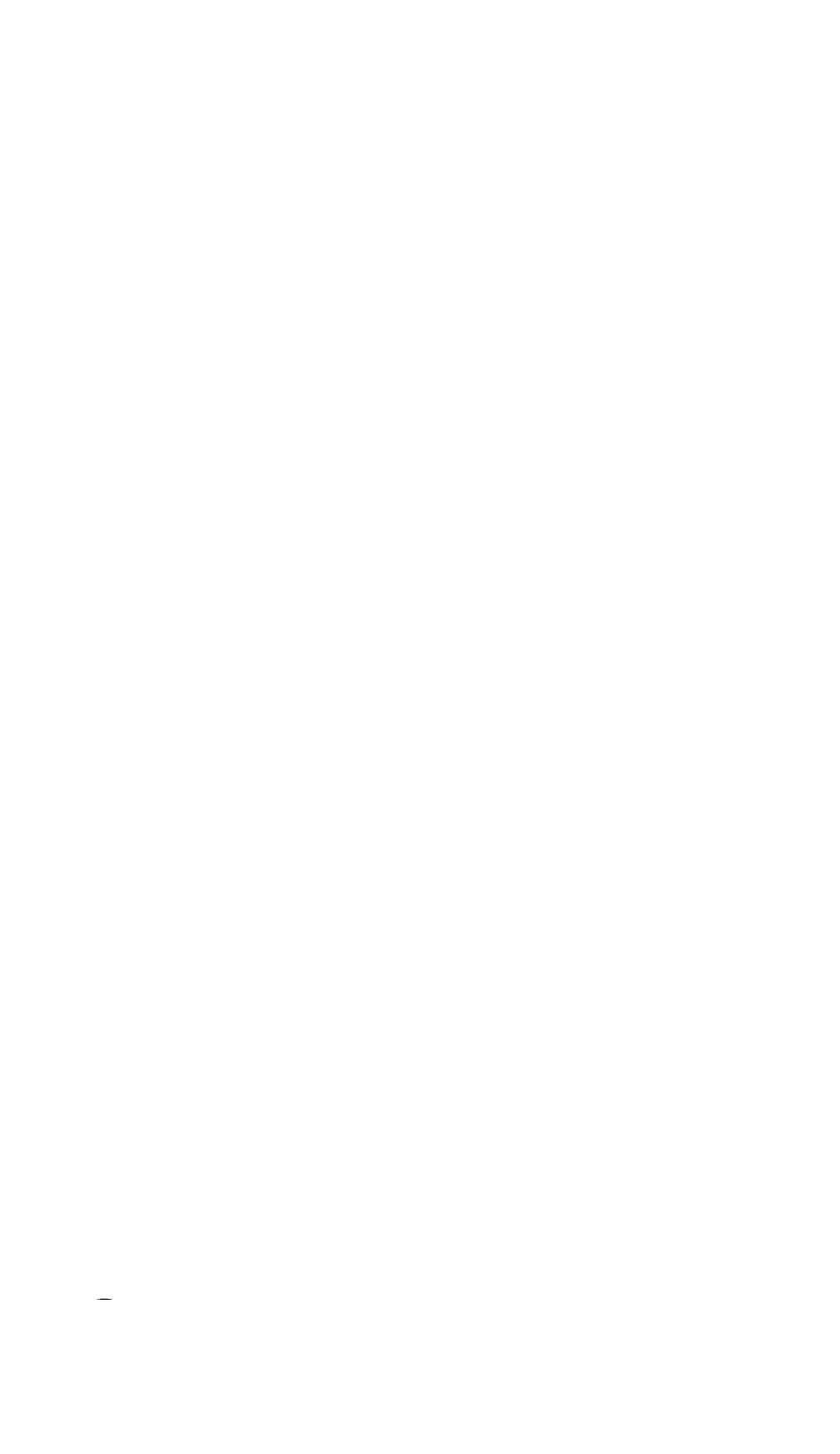
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OF THE
GENERAL ASSEMBLY

OF THE
STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1862.

IN THE
EIGHTY-SIXTH YEAR OF INDEPENDENCE.

WITH AN APPENDIX.



HARRISBURG:
A. BOYD HAMILTON, STATE PRINTER.

1862.

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L A W S

OF THE

COMMONWEALTH OF PENNSYLVANIA.

No. 1.

AN ACT

Relating to the Relief of the Families of Soldiers in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That immediately after the passage of this act, the controller of Allegheny county shall deliver to the county treasurer the duplicates containing the assessments of taxes for the relief of families of volunteers, made by the commissioners of said county, for the year one thousand eight hundred and sixty-one, and charge said treasurer with the amount of taxes due thereon; whereupon the said treasurer shall give notice, by publication in two or more newspapers published in the city of Pittsburg, that he will receive the said taxes at his office, if paid before the first day of March, one thousand eight hundred and sixty-two; and for all taxes not paid before the said first day of March, the treasurer shall issue warrants and schedules as required by the twenty-third section of the act, passed May first, one thousand eight hundred and sixty-one, relating to Allegheny county; and all the provisions of the twentieth, twenty-third, twenty-fourth and twenty-fifth sections of said act are hereby extended to the collection of said relief taxes, except that there shall be added to all of said taxes, unpaid on the first day of March, ten per centum, compensation for collection, instead of five per centum, as provided for in said twenty-third section.

Controller to deliver duplicates of relief taxes to county treasurer.

Treasurer to give notice.

When warrants may issue.

Compensation for collection from delinquents increased.

SECTION 2. On all taxes assessed in said county prior to the year one thousand eight hundred and sixty-one, and received and disbursed since the first Monday of January, one thousand eight hundred and sixty-one, or which may hereafter be received and

Compensation of treasurer for receiving and disbursing certain taxes.

LAWS OF PENNSYLVANIA,

disbursed by any treasurer of said county, said treasurer shall, in settlement of his accounts, be allowed a credit of one per centum, as a compensation for his services in receiving and disbursing the same.

Treasurer to receive certain warrants in payment of taxes.

SECTION 3. The treasurer of said county shall receive warrants, regularly drawn on him by the commissioners and countersigned by the controller, in payment of taxes or other debts due to the county.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

Two Vols.
Bound in 1860

No. 2.

AN ACT

To authorize the Commissioners of Centre county to borrow money.

Commissioners authorized to borrow money.

Proviso.

Bonds, relative to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Centre county be and they are hereby empowered to borrow, upon the credit of said county, for the purpose of paying debts incurred in building a new court house, and for the purpose of affording relief to the families of volunteers, and for other purposes, any sum of money not exceeding thirty thousand dollars, payable within ten years: *Provided,* That no bond or other obligation shall be issued by the commissioners for the payment of the same, of a less denomination than one hundred dollars.

SECTION 2. That all bonds or other obligations, issued by the commissioners in pursuance of this act, shall be and remain binding on them and their successors in office till paid.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 3.

AN ACT

Reviving the Warrant to Andrew S. Harrison, a collector of taxes in the borough of Huntingdon, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the warrant issued to Andrew S. Harrison, of the borough of Huntingdon, in the county of Huntingdon, for the collection of county, state and military taxes, dated the twenty-second day of June, one thousand eight hundred and fifty-nine, be and the same is hereby revived and continued in full force and virtue for the space of one year from and after the passage of this act.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 4.

A FURTHER SUPPLEMENT

To the act incorporating the Gettysburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Gettysburg railroad company be and is hereby authorized and empowered to issue a preferred stock, not exceeding four thousand shares of fifty dollars each, upon such terms and upon such guarantees, regarding dividends thereon, as shall be determined upon by the board of directors of said company at any general or special meeting.

Authorized to issue preferred stock.

SECTION 2. The object for which said preferred stock is authorized to be created, is that it shall be used exclusively in the cancellation of the mortgage given by said railroad company in trust for the security of certain bonds therein described and issued, to the amount of two hundred thousand dollars, dated

How to be used and issued.

the twenty-third day of May, Anno Domini one thousand eight hundred and fifty-seven; and said preferred stock, or the proceeds thereof, shall in no wise be applied to any other purpose than in payment of said bonds, nor shall any of it be issued until the consent of all the holders of said bonds shall have been first obtained in writing, and then the issuing of said stock to the holders of the bonds shall operate as a full and entire satisfaction of said mortgage, and a repeal of the act authorizing the company to mortgage the road.

Consent of bond-
holders necessary.

Effect of the
same.

Privileges of hol-
ders of preferred
stock.

When this act to
take effect.

SECTION 3. That the holders of said preferred stock, their executors, administrators or assigns, shall at all elections of said company, and at all meetings, be entitled to all the rights and privileges to which the original stockholders are entitled, and have one vote for each share of stock held by them.

SECTION 4. This act shall not take effect until it shall have been submitted to a meeting of the stockholders of the said company, to be convened for that purpose according to the provision for calling special meetings of the stockholders, at which meeting each share of stock shall be entitled to one vote on the question submitted.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 5.

AN ACT

For the relief of Dickinson College, in the borough of Carlisle, in the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the trustees of Dickinson college, in the borough of Carlisle, in the county of Cumberland, are hereby authorized to borrow money for the use of college purposes, not exceeding the sum of fifteen thousand dollars, and to secure the same by mortgage or judgment, given under the seal of the corporation, and attested by the president and secretary of the board; and all bonds of indemnity or other securities which have already been given by the said corporation, under authority from the board of trustees, for money which has been borrowed for college purposes,

to secure members of the committee of finance or others, are hereby declared to be valid and binding liens on the college property.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 6.

SUPPLEMENT

To an act to incorporate the Oil Creek Railroad Company, approved April second, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the authority to borrow money conferred upon the Oil Creek railroad company, by the act to which this is a supplement, shall be so limited, that the amount for which said company may issue bonds to be secured by mortgage upon the road and property of said company, shall not exceed fifteen thousand dollars per mile upon the main line and branches; and the said company may construct said railroad from the mouth of Oil creek, by Cherry run, or from Titusville to Garland, Pittsfield or such other point on the Philadelphia and Erie railroad, as may be proven by their surveys and explorations to be most desirable for the advancement of the interest of the company and the accommodation of the oil trade.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

LAWS OF PENNSYLVANIA,

No. 7.

AN ACT.

To refund to Samuel J. Walker, certain moneys erroneously paid by him for collateral inheritance tax on the estate of Joseph T. Marshall.

WHEREAS, Samuel J. Walker, of the city of Philadelphia, as agent for the estate of Joseph T. Marshall, deceased, late of said city, did on the third day of May, one thousand eight hundred and sixty, pay to the register of wills of said city, the sum of four hundred and thirty six dollars, as collateral inheritance tax upon certain real estate, situate in Walnut, Arch and Quarry streets, in said city, lately belonging to the said Joseph T. Marshall :

And whereas, After said payment was made, the supreme court of the state did decide that the said real estate passed to the collateral relatives, under the will of Amor Marshall, the father of the said Joseph, in one thousand eight hundred and sixteen, which was long before the imposition of the collateral inheritance tax by the laws of this commonwealth :

And whereas, Under said decision, the said real estate was not liable to be charged with the collateral inheritance tax to be paid as aforesaid ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and required to refund and repay unto Samuel J. Walker, of the city of Philadelphia, the sum of four hundred and thirty-six dollars, that being the amount erroneously paid by the said Samuel J. Walker for collateral inheritance tax upon real estate, situate in Walnut, Arch and Quarry streets, in the city of Philadelphia, lately in the possession of Joseph T. Marshall, now deceased.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 8.

AN ACT

Relating to the taxes on Unseated Lands in the counties of Tioga and Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the returns required by the second section of the act twenty-first April, Anno Domini one thousand eight hundred and fifty-six, to be made by the several supervisors, assessors and collectors of road and school taxes, of taxes on unseated lands for the year one thousand eight hundred and sixty-one, may be made by the several supervisors, assessors and collectors of road and school taxes in and for the counties of Tioga and Warren, on or before the first day of March, one thousand eight hundred and sixty-two, with the same force and effect as if the same had been made according to the provisions of the aforesaid act.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 9.

AN ACT

To authorize the election of but one Supervisor in and for the township of Rahn, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next annual election for township officers in and for the township of Rahn, in the county of Schuylkill, after the passage of this act, and annually thereafter, it shall be lawful to elect but one person for supervisor of the said township of Rahn; and all the duties and obligations, imposed by law upon the

LAWS OF PENNSYLVANIA,

supervisors of said township, shall be done and performed by the supervisor elected as above provided.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 10.

AN ACT

To authorize the several Collectors and Overseers of the Poor to return to the County Commissioners the poor taxes on unseated lands in Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever any poor taxes, assessed on any unseated lands in Columbia county, shall not be voluntarily paid by the owner or owners thereof, the collector or overseer of the poor of the proper district, as the case may be, shall certify the same to the proper county commissioners as is now directed in the case of road and school tax, and the commissioners shall enforce the collection thereof, with the taxes assessed on unseated lands for county purposes, and when so collected said tax shall be paid to the overseers of the poor of the proper district, by orders drawn on the county treasurer: Provided, That the poor taxes for the years one thousand eight hundred and sixty and one thousand eight hundred and sixty-one, remaining unpaid, shall be returned by the respective overseers or collectors before the first day of May, one thousand eight hundred and sixty-two, and included in the sales for taxes to be made by the treasurer in June, one thousand eight hundred and sixty-two.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 11.

AN ACT

Relative to advertising Claims, et cetera, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fifth section of the act of the ninth day of April, Anno Domini one thousand eight hundred and sixty-one, as provides that in all cases of registered taxes, municipal claims, assessments for removing nuisances, or other charge by the city assessed on real estate, the advertising required before suit brought, shall be in two newspapers, once a week for six weeks, with such brevity of description that the charge therefor shall not exceed one dollar and fifty cents for each property, and no sales shall take place for any such claims, taxes or assessments, except on the second Mondays of May and November, be and the same is hereby repealed; and that from and after the passage of this act no sales shall take place for any such claims, taxes or assessments, except on the first Mondays in April, July, October and January. Repeal of certain sections.

SECTION 2. That all public advertisements for the city of Philadelphia, whether relating to the city departments or county officers, shall be inserted in not more than three public newspapers, nor, excepting notice of municipal claims, more than three times in each; nor shall there be paid for such advertising any greater rates than those advertised in such papers, to be paid by citizens; and all laws, or parts of laws, conflicting herewith, be and the same are hereby repealed. Public advertisements, insertion and cost of.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 12.

AN ACT

Relating to the Philadelphia, Germantown and Norristown Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the holders of certificates of loan, authorized by the act, approved the first day of May, one thousand eight hundred and sixty-one, entitled "A supplement to an act to incorporate the Philadelphia, Germantown and Norristown railroad company," passed the seventeenth day of February, eighteen hundred and thirty-one, may, at their option, convert the same into shares of the capital stock of said company at any time before five years from the maturity of the bonds; said stock to be taken at its par value; and the board of managers of said company are hereby authorized to increase the capital stock of said company to an amount equal to the amount of certificates of loan which may be converted into capital stock, according to the provisions of this act; such stock to be transferred on the books of said company, as may be directed by the by-laws, and shall be the same as the stock of said company under existing laws.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini, one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 13.

AN ACT

Relating to a certain road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the act approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to

vacate a state road in Clinton county, between Lamar and Allison townships," be and the same is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 14.

AN ACT

To authorize Michael C. Trout to sell and convey, as Trustee, the property of the Sharon Iron Company.

WHEREAS, The Sharon iron company, located in Mercer county, and organized under the general manufacturing law of this commonwealth, passed April seventh, one thousand eight hundred and forty-nine, has ceased its operations and done no business of any kind for the last five years and upwards:

And whereas, The property of said company is going rapidly into decay and rusting out, so that in a few years the buildings and machinery will become useless:

And whereas, Debts to a considerable amount already exist against the company, while the rents received from the property is insufficient to meet the taxes on the same, and as the company have no assets except the real estate, a sale thereof must be resorted to in order to meet these demands:

And whereas, Doubts exist as to the power of the courts or the authority of the board of directors of said company to decree such sale under any existing law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Michael C. Trout, of the county of Mercer, be and is hereby created a trustee, with full power and authority, by and with the advice and consent of a majority of the board of directors, to bargain, grant, sell and dispose of, at public or private sale, all the lots, houses, lands, appurtenances, machinery and franchises of the Sharon iron company, or any part thereof, and to make good and sufficient deeds therefor to the purchasers thereof in fee simple.

Michael C. Trout
created trustee.

Empowered to
sell.

SECTION 2. That the money arising from the sale of said property shall be applied and disposed of as follows: All the expenses of the sale and transfer of said property, and the necessary publication of notices, together with a just and fair compensation to the trustee for his services, shall first be paid, Application of proceeds of sale.

and the balance shall be applied to the payment of the debts of said company, *pro rata*, if said balance shall be insufficient to pay them in full; but if more than sufficient to pay them in full, then after discharging said debts, the remainder, if any, shall be divided, *pro rata*, among the stockholders, according to the number of shares held by each.

Notice of sale to be given.

SECTION 3. That it shall be the duty of the said trustee, before selling the property aforesaid, to give notice in at least one newspaper published in the city of Pittsburg, one in the city of Erie, and two in the borough of Mercer, and by printed handbills stuck up on the premises and other public places in the neighborhood, for at least three weeks, of the time, place and terms of sale, and if a sufficient sum should not be offered, to adjourn the sale from time to time, at his discretion, as may seem best for the interest of the stockholders.

May adjourn sale

Trustee to give bond.

SECTION 4. That before entering upon his duties, the said trustee shall execute a bond, with at least one sufficient surety, to be approved by the court of common pleas of Mercer county, in the sum of twenty-five thousand dollars, conditioned for the faithful execution of the trust and the proper application of the money arising from the sale hereinbefore authorized, which said bond shall be filed in the office of the prothonotary of said court.

Report to be made and filed.

SECTION 5. That it shall be the duty of said trustee, within six months after he shall have disposed of said property, and closed up the business mentioned in the several sections of this act, to make report of said sale or sales, which shall be confirmed by said court, if made in accordance with the provisions and directions of this act, and to make out and file in the office of the prothonotary of said court, an account and statement of his proceedings therein, upon confirmation of which he may, on application, be discharged by said court from his trust.

Court to confirm.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 15.

AN ACT

To incorporate the New Castle and Beaver Valley Railroad company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

A. M. Black, James M'Cune, Hutchinson Bovard, James F. Commissioners.
Scott, D. M. Courtney, Frederick Rheinholdt, Richard Fulkerson,

Joseph Cunningham, David Bower, James Gilmore, Lewis Taylor, Thomas Falls, R. W. Cunningham, John Ferguson, Jacob Henrici, Joseph Kissick, A. L. Crawford, William Patterson and J. M. Crawford, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name and style of

the New Castle and Beaver Valley railroad company, with all the powers and subject to all the provisions of an act, entitled

"An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine: *Provided*, The said company shall have the right to charge for transportation of passengers, not exceeding five cents per mile for all distances not exceeding fifteen miles: *Provided further*, That the time for completing said road shall be extended for the period of ten years: *And provided further*, That a president and six directors shall constitute the board of managers for said company.

SECTION 2. That the capital stock of said company shall be two hundred thousand dollars, and shall be divided into four thousand shares of fifty dollars each; and the said company are hereby authorized to borrow any sum of money, not exceeding four hundred thousand dollars, and to issue bonds therefor, with or without coupons attached, and the directors of said company shall have power to give such bonds such preference or security, by mortgage or otherwise, as they may deem advantageous: *Provided*, That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per centum per annum, as may be agreed upon, shall be lawful.

SECTION 3. That the said company shall have the right to build, construct and equip a single or double track railroad from or near New Castle, in the county of Lawrence, by the nearest practical route to Homewood station, in the county of Beaver, with the right to connect with any railroad now or hereafter to be built at either end, or at any intermediate point, and with the right to construct a branch or lateral railroad, not exceeding eight miles in length, with the same right of connection with other railroads as enjoyed by the main road; and said branch or lateral road may be constructed at any time, either before or after the completion of the main road.

SECTION 4. That the said company shall have the right to purchase and hold any unfinished railroad and its franchises, located within the counties of Lawrence and Beaver, and to finish, complete, equip and use the same under the provisions of this act.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 16.

AN ACT

To incorporate the Association for the Publication and Diffusion of Religious Periodicals in the Lutheran Church.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Joseph A. Seiss, William J. Mann, G. Frederick Krotel, Emanuel Greenwald, David Gilbert, Henry H. Muhlenberg and Charles P. Krauth, junior, all citizens of the United States and of the state of Pennsylvania, and such other persons as are or may be hereafter associated with them and their successors, be and are hereby created and declared a body politic and corporate, in deed and in law, under the name, style and title of the Association for the publication and diffusion of religious periodicals in the Lutheran church, to have perpetual succession, to have power to take, hold and dispose of all manner of property, real and personal, the clear yearly income of which shall not exceed two thousand dollars; to plead and be impleaded; to sue and be sued in all courts of record in this commonwealth, or elsewhere; to contract and be contracted with; to have and use a common seal, and to alter, destroy and renew the same at pleasure, and to do all other acts and enjoy all other powers incident to similar corporations in general under the laws of this commonwealth.</p>
Title.	
Powers.	
Seal.	
Object.	<p>SECTION 2. The object of this corporation shall be the supply of the Lutheran church, by publication or otherwise, with a sound religious periodical literature; and for the purpose of affording a sufficient fund to carry the same into effect, the said corporation is hereby authorized to raise and form, by subscription, a capital stock of not less than five thousand dollars nor more than thirty thousand dollars, in shares of one hundred dollars each, to be called in and paid, and the stock transferable, in such manner as may be designated by the by-laws thereof.</p>
Capital stock.	
Officers.	<p>SECTION 3. The officers of the said corporation shall be such as the said corporation may deem necessary, who shall be elected at such times and places, and in such manner as the by-laws of said corporation may direct.</p>
By-laws.	<p>SECTION 4. The said corporation shall have power and authority to make such by-laws, rules and regulations, as shall be necessary for the government and promotion of the welfare of said corporation, and for the objects above specified: <i>Provided,</i> That no by-law, rule or regulation, as aforesaid, shall be valid if inconsistent with the constitution or laws of this state or of the United States.</p>
Executive committee.	<p>SECTION 5. The present executive committee of the said association, consisting of the persons hereinabove named, viz: Joseph A. Seiss, William J. Mann, G. Frederick Krotel, Emanuel Greenwald, David Gilbert, Henry H. Muhlenberg and Charles</p>

P. Krath, junior, shall continue in office until an election shall be had under this act, and the by-laws, rules and regulations, now in force therein, shall be valid until altered, amended or abrogated by the said corporation: *Provided*, That nothing contained in this act shall authorize said corporation to transact any banking or manufacturing business whatsoever. Proviso.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 17.

A N A C T.

To incorporate the Shamokin and Bear Valley Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Welsh, Zebediah Lothrop, Daniel Clark Wharton, John L. Atlee, James T. Carter, Jacob Bausman, Lewis R. Fales, John B. Packer, C. M'Kibben, William L. Schaeffer, Jacob Miles, William Amer, Henry Vanuxem, William Atlee, and their associates, successors and assigns, be and they are hereby incorporated and made a body politic and corporate, by the name, style and title of the Shamokin and Bear Valley coal company, with a capital stock of sixty thousand dollars, with power to increase the same to one hundred thousand dollars, whenever a majority of the stockholders shall so determine, and by that same shall have perpetual succession, and be capable in law of receiving, holding and conveying such real and personal property as may be necessary for the objects of this incorporation, may sue and be sued, plead and be impleaded in all courts of law and equity, may have a common seal which they shall have power to alter and renew at pleasure, and may receive, execute and deliver all such instruments of writing, and do such acts and things necessary to promote the objects, interests and designs of said company, as authorized by this act, viz: From time to time to open and mine the coal and other minerals in the lands belonging to the said company in the county of Northumberland, sell, dispose of and transport the same to market, or to make lease or leases for mining and selling the same, to make and construct railroads upon the lands of said company, and charge tolls thereon, and generally to do and perform all things

Corporators.
Title.
Capital stock.
Seal.
Powers and privileges.

pertaining to the leasing, mining, preparing for and transporting to market, and the selling and disposing of the minerals found on said lands, with full power also to sell or mortgage the said lands, with the improvements thereon, or any part thereof, and to make purchases of any other tract or tracts in the county of Northumberland.

Lands, how divided and held.

Certificates of stock.

Limitation.

Meeting of stockholders.

Election of directors.

Votes.

Powers of directors.

Proviso.

Proviso.

Bonus to be paid to the state.

Individual liability.

SECTION 2. That the lands to be conveyed to the said company in fee simple by the parties owning the same, shall form a common stock and be divided into a convenient number of shares, and apportioned by the said company among the subscribers, according to their respective interests, for which certificates of stock shall be issued and be assignable and transferable in such way, and subject to such conditions as the said company may from time to time prescribe; and the said shares of stock so created shall, for all legal purposes whatever, be deemed and treated as personal estate, and the said corporation may, whenever it is deemed necessary or expedient, with the consent of the holders of a majority of the shares of the said stock, levy and collect assessments and forfeit and sell delinquent shares, in such manner as the by-laws may direct: *Provided*, That the quantity of land which shall be held by the said company, at any one time, shall not exceed three thousand acres.

SECTION 3. That the stockholders shall meet as soon as practicable after the passage of this act, notice of the time and place of such meeting having been first given by advertisement in one newspaper published in the county of Northumberland, and in one daily paper published in the city of Philadelphia, and annually thereafter, at such time and place as shall be fixed upon, and shall then and there proceed to elect, by ballot, five directors, to serve for the term of one year, and until others are chosen in their places; and said election shall be made by such of the stockholders of said company as shall attend for that purpose, either in person or by proxy, each share of stock to entitle the holder thereof to one vote; the directors so chosen, shall elect one of their number to be president of the board of directors of said company.

SECTION 4. That the directors shall have full power to make by-laws, and to appoint such officers and agents as they shall deem expedient for the well conducting and transacting the business of the company, to declare and provide for the payment of dividends to the stockholders, and in general to superintend the business and concerns of the company: *Provided*, Such by-laws shall not be repugnant to the constitution and laws of this state or of the United States: *And provided*, That this act shall not be construed to confer upon the said company banking privileges.

SECTION 5. That the said company shall pay into the state treasury a bonus of two and one-half per centum on the capital stock hereby authorized, in three equal annual instalments, in lieu of any and all taxes upon dividends, the first of which instalment shall be paid within one year from the date of the organization of the company; and the stockholders of said company shall be individually liable, jointly and severally, for debts due mechanics, workmen and laborers employed by said company, and for materials furnished said company, to be sued for

and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debts, unless the same shall be sued for within one year after they shall become due. *Provide.*

SECTION 6. That the privileges hereby granted shall not be enjoyed for a period longer than twenty years, unless extended or renewed by act of assembly. *Limitation.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 18.

A N A C T

Extending the provisions of the sixth section of the act of April tenth, one thousand eight hundred and thirty-seven, relative to the proceedings in District Court of Philadelphia to Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sixth section of the act of assembly approved April tenth, one thousand eight hundred and thirty-seven, entitled "An Act to confirm and render valid the proceedings of the district court for the city and county of Philadelphia, in actions of partition heretofore instituted in the said court, and to make good and valid certain acknowledgments of sheriff's deeds, and for other purposes," be and the same is hereby extended to the county of Northampton.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 19.

A N A C T

To provide for the payment of the Direct Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the quota of the direct tax apportioned to the state of Pennsylvania for the fiscal year commencing April first, one thousand eight hundred and sixty-two, by the act of congress, entitled "An Act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," passed on the fifth day of August, one thousand eight hundred and sixty-one, to wit: The sum of one million nine hundred and forty-six thousand seven hundred and nineteen and one-third dollars, be and the same is hereby assumed by the state of Pennsylvania; and that for the purpose of paying and satisfying the same to the treasury of the United States, after deducting such per centum as may be allowed thereon, in accordance with the provisions of said act, the governor is hereby authorized to release to the United States the whole or any part of the claim of this state against the United States, and to pay any balance of said quota that may remain due after such release, out of any moneys heretofore refunded, or that may hereafter be refunded to this state by the United States, on account of expenses incurred by this state in enrolling, subsisting, clothing, supplying, arming, equipping, paying and transporting volunteers employed in aiding to suppress the present insurrection against the United States.

SECTION 2. That the governor of this commonwealth be requested to forward to the secretary of the treasury of the United States, on or before the second Tuesday of February, one thousand eight hundred and sixty-two, a copy of the foregoing section.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 20.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to authorize Isaac Meason and Zachariah Connell, their heirs and assigns, to erect, build and maintain a Toll Bridge across the Youghiogheny river at Connellsville, in Fayette county," passed the fifteenth day of March, one thousand eight hundred, and the supplement thereto, approved the seventeenth day of April, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the president and secretary of the Youghiogheny bridge company shall certify to the governor, under the corporate seal of said company, that two hundred shares or more of the capital stock thereof have been subscribed, and ten dollars per share paid thereon, together with a list of the subscribers, the governor shall, by letters patent, constitute the said subscribers, and those who may in future become subscribers to the stock of said company, a body politic and corporate, in deed and in law, by the name and style of the Youghiogheny bridge company.

When letters patent to be issued.

SECTION 2. That it shall be the duty of the secretary of the Youghiogheny bridge company, to give public notice of all elections hereafter to be held for officers of said company, by advertisement in one or more newspapers published in Fayette county, for three weeks preceding any such election, or by at least ten handbills posted up in conspicuous places, at least fifteen days before such election; and the election heretofore held by said company, and all subscriptions heretofore made to the capital stock thereof, are hereby declared legal and valid.

Secretary to give public notice of elections.

Certain election, &c., made legal.

SECTION 3. That if it shall happen that no election shall be held on the day prescribed for that purpose in the supplement to which this is a supplement, it shall be lawful to hold said election on any other day, after notice given as required by this act, and all elections shall be conducted in such manner as the by-laws of the corporation shall ordain; vacancies in the board of managers occurring by death, resignation, inability or refusal to act, removal or otherwise, shall be supplied by said board from among the members of the corporation.

When elections to be held.

Vacancies in the board of managers.

SECTION 4. That the said Youghiogheny bridge company are hereby authorized to borrow any sum of money, not exceeding five thousand dollars, and issue its bonds therefor, but no bonds shall be issued of a less denomination than one hundred dollars.

Authorized to borrow money.

SECTION 5. That the stock of said company shall be called in and paid, at such times and in such instalments, as the president and managers shall require, of which public notice shall be given at least ten days next preceding the time appointed for that purpose, in the manner before mentioned, and if any stockholder shall neglect to pay such subscription or instalment, so called, at the time appointed, or shall fail to pay the same or

Stock, when and how to be paid in.

Penalty for neglect to pay instalments.

any part thereof for the period of six months, he, she or they shall, at the discretion of the president and managers, forfeit, to the use of the company, all right, title and interest in and to every and all shares on account of which such default in payment may be made as aforesaid, or the president and managers may cause suit to be brought before any competent tribunal for the recovery of the amount due on such share, with legal interest thereon; and in the event of a forfeiture, the share or shares so forfeited, may be disposed of at the discretion of the president and managers, under such rules and regulations as may be prescribed by the by-laws.

Empowered to
contract with
original owners.

SECTION 6. That it shall be lawful for the president and managers of said company, and they are hereby empowered to contract with the owners thereof, for the purchase of all the lands, shore and ferry, right and privileges originally belonging to Isaac Meason and Zachariah Connell, on the Youghiogheny river, and which were appropriated by the said Isaac Meason and Zachariah Connell, to the uses and purposes of the bridge and ferry, with all the rights and privileges appurtenant thereto.

By-laws.

SECTION 7. That the members of the said company shall have full power and authority to make, ordain and put in force all such by-laws, rules and regulations as shall be necessary for the government, and conducting the business of the said company, not inconsistent with the constitution and laws of the United States or of this commonwealth, nor with the original act of incorporation, or the supplements thereto.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 21.

AN ACT

For the relief of Temperance Norris, widow of Samuel Norris, an old soldier.

WHEREAS, By an act of the general assembly of this commonwealth, approved the first day of May, one thousand eight hundred and sixty-one, intended for the relief of Temperance Norris, widow of Samuel Norris, an old soldier, by mistake the name is made to read Temperance Morris; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Temperance Norris, widow of Samuel Norris, an old soldier, (for whom it was intended,) is hereby declared to be entitled to receive the gratuity mentioned in an act, entitled "An Act for the relief of Temperance Morris, widow of Samuel Morris, an old soldier," approved the first day of May, one thousand eight hundred and sixty-one.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 22.

AN ACT

Providing for the Election of Councilmen and Collection of Taxes in Millville borough, Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the legislative power of the borough of Millville, Cambria county, shall be vested in a town council, which shall be composed of six members, who shall be elected as follows: On the third Friday of February, Anno Domini one thousand eight hundred and sixty-two, the qualified electors of the borough shall elect two persons to represent them in the town council for one year, two to serve for two years and two to serve for three years, and on the third Friday in February, in each and every year thereafter, the qualified electors of said borough shall elect two persons to represent them in council for three years; a majority of the members of the council shall constitute a quorum to transact business; the burgess shall act as president, and sign all ordinances passed by the council and all warrants drawn upon the borough treasurer.

Election of councilmen.

Burgess.

SECTION 2. That on the Tuesday next succeeding their election, the councilmen elected shall assemble at the usual place for the meeting of council, and shall be severally sworn or affirmed to support the constitution of the United States and of this state, and to discharge their duties as councilmen with zeal and fidelity; and having been thus duly qualified, shall proceed to elect one person, who need not be a member of council, as clerk; in case of a vacancy occurring in the office of councilman, from

Meeting of council.

Election of clerk.

Vacancies.

death, resignation or removal, the council shall have power to fill such vacancy by appointment, until the next succeeding election.

Mode of collecting borough tax.

SECTION 3. That as soon as the master now provided by law for collecting the borough tax within the limits of the said borough, the same shall be done as follows: As soon after the organization of council, in each and every year, as practicable, and not later than the first day of June, the town council shall fix the rate per centum of the tax, which shall not exceed ten miles on the value of assessed valuation for county rates and levies, and cause a duplicate to be made out and placed in the hands of the borough treasurer, who, thereupon, shall give notice, by hand, to a trustworthy person within the borough limits, that he is ready to receive taxes; on all taxes paid on or before the first day of August, the treasurer shall allow an abatement of five per centum; on all paid after the first day of August and before the first day of September, he shall receive the amount in full, and on all paid to him subsequent to the first day of September, he shall add five per centum; on the first day of October in each year, the treasurer shall make out a list of delinquent taxpayers, with the amount due from each, with ten per centum additonal added, and place the same in the hands of the high constable, whose duty it shall be to receive the same, under a penalty of fifty dollars for refusing to receive the list; and the said treasurer is hereby authorized to issue to said constable his warrant, granting him all the powers and immunities now by law invested in the collector of county rates and levies; and that it shall be the duty of said constable to proceed immediately to collect the same by levy, distress and arrest, in obedience to his warrant, and to make return of his warrant, and the amount collected, within sixty days from the time the same is placed in his hands; and on failure to do so, or to faithfully execute his warrant, he shall be personally responsible for the amount not collected, except such amounts as the councils may exonerate him from collecting; and the said amount, for which he becomes responsible, may be recovered from him by the borough as other debts are by law recoverable; the said treasurer and constable shall give bond, conditioned for the faithful discharge of their respective duties.

What to be taxable, &c.

SECTION 4. That all property, offices, professions and persons, made taxable by the laws of this commonwealth for county rates and levies, shall be taxable, after the same manner, for borough purposes, and all taxes shall be based on the last preceding assessment for county purposes, a transcript whereof it shall be the duty of the county commissioners of Cambria county to furnish to the burgess of said borough, on demand.

Council to elect burgess in case of vacancy.

SECTION 5. That in case of a vacancy occurring in the office of burgess, by death, resignation or otherwise, the town council shall elect a person, duly qualified, to fill the balance of the term.

Provisions of the act regulating boroughs extended.

SECTION 6. That from and after the passage of this act, the several provisions of the act of assembly, passed the third day of April, in the year one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," be and the same are hereby extended to Millville borough.

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SECTION 7. That all acts and parts of acts inconsistent with Repeal. the provisions of this act, so far as the same relates to the borough of Millville, be and the same are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 23.

A N A C T

For the payment of Road Viewers and Surveyor in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be the duty of the person or persons who get out an order from the court of quarter sessions of Northumberland county, to view any public road, or to assess the damages on any public road, to pay to the viewers and surveyor, the amounts now allowed them by law for such services; and that the viewers and surveyor shall state, in their report, the number of days engaged in viewing and surveying the same, the amount paid them, and by whom paid; and that upon the production by the person or persons who paid the viewers and surveyors, of a certificate from the clerk of the court of quarter sessions of said county, of the amount paid and by whom paid, that the same shall be paid by the treasurer of the said county, upon an order drawn upon him in the usual manner, out of the funds of the county, in all cases which the county of Northumberland is now liable by law for the payment of the same; and that so much of any former act or acts of assembly as are inconsistent with this act is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 24.

AN ACT

Declaring Jenny Smith, daughter of Elizabeth Stone, an adopted daughter of Frederick Hillworth, of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Jenny Smith, daughter of Elizabeth Stone, formerly of Lionville, Chester county, in this commonwealth, is hereby declared to be the adopted daughter of Frederick Hillworth, of the Twenty-fourth ward, of the city of Philadelphia, and shall be capable of receiving by devise, or inheriting under the intestate laws of this commonwealth, the same as if she were the lawful child of the said Frederick Hillworth, and shall possess all the rights and privileges in law, and to all intents and purposes be regarded as his own child born in lawful wedlock.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 25.

AN ACT

Authorizing the School Directors of Taylor School District, in the county of Lawrence, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of Taylor school district, Lawrence county, are hereby authorized to borrow any sum of money, not exceeding one thousand dollars, and issue bonds for the same, in sums*

not less than one hundred dollars each, bearing a rate of interest not exceeding seven per centum per annum.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 26.

AN ACT

Relative to the Bank of Penn Township, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, entitled "An Act to incorporate the Bank of Penn Township, in the county of Philadelphia," approved the second day of February, one thousand eight hundred and twenty-eight, as requires that nine of the directors of the said bank shall be residents of that part of the city of Philadelphia formerly known as Penn township, the president to be elected from among the directors residing in said township, be and the same is hereby repealed.

Repeal of section relative to residence of directors.

SECTION 2. That so much of the act passed March twenty-ninth, one thousand eight hundred and fifty-one, as provides that no person shall be eligible as director of any bank in the county of Philadelphia, who shall not have been a stockholder thereof at least three calendar months before the time of election, be and the same is hereby repealed, so far as relates to the Bank of Penn Township.

Eligibility of directors.

Repeal.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 27.

AN ACT

For the Relief of Edmund Lockwood.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Edmund Lockwood, of Bradford county, who was a contractor for the building of fence on the Tioga division, North Branch canal, in Anno Domini one thousand eight hundred and forty, the sum of twenty dollars and seventy cents, which appears to be yet due and remaining unpaid, by the books of the auditor general, out of any moneys in the treasury not otherwise appropriated.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 28.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to erect the village of Honesdale, in the county of Wayne, into a borough."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the town council of said borough be and are hereby authorized and empowered, in addition to the tax now authorized to be assessed and collected in said borough by the act to which this is a supplement, to assess and collect an additional tax, not to exceed ten mills on the dollar annually, for the next five years; the same to be paid in money, and to be assessed and collected in same manner as is now provided by law for the assessment and collecting of taxes in said borough.*

Town council
authorized to as-
sess additional
tax.

SECTION 2. That the time allowed to the owner or owners, occupant or occupants of any lot or lots, to make suitable side walks along and opposite to their respective lots, as is provided for in the first section of a supplement to said act, approved by the governor the eighth day of April, Anno Domini one thousand eight hundred and forty-eight, be and the same is hereby altered and amended from ninety days to thirty days, and all the proceedings provided for under said section may be had and taken by the said town council, after said notice of thirty days, as fully as originally provided for in the same after ninety days notice.

SECTION 3. That the town council of said borough be and are hereby authorized and empowered to erect a lock-up house in said borough, and appoint, from time to time, a keeper thereof; the expenses of the erection thereof, and compensation of the keeper, to be paid out of the funds of said borough; and any person or persons convicted and adjudged to pay a fine, before and by any justice of the peace or the chief burgess thereof, for the violation of any of the by-laws or ordinances of said borough, who shall refuse to pay the same, together with the costs of said proceedings, shall be liable to and may be, by the order of said justice or chief burgess before whom said conviction was had, committed to the said lock-up house for a period to be fixed in said order, not to exceed forty-eight hours; said order to be in writing, directed to the keeper thereof, who is hereby directed to receive and confine said person or persons therein named, for the period therein fixed, in said lock-up house, and provide necessary food during said period: *Provided*, Said confinement shall not affect the right to collect, by execution, said penalty and cost adjudged, as aforesaid, against said person or persons.

Authorized to erect lock-up house.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 29.

AN ACT

Changing the name of Electa Satterfield, and adopting her as the child of William Budd and Catharine, his wife.

WHEREAS, William Budd and Catharine, his wife, of the borough of Sharon, in the county of Mercer, having received Electa Satterfield into their family when she was an infant, and

pertaining to the leasing, mining, preparing for and transporting to market, and the selling and disposing of the minerals found on said lands, with full power also to sell or mortgage the said lands, with the improvements thereon, or any part thereof, and to make purchases of any other tract or tracts in the county of Northumberland.

Lands, how divided and held.

Certificates of stock.

Limitation.

Meeting of stockholders.

Election of directors.

Votes.

Powers of directors.

Proviso.

Proviso.

Bonus to be paid to the state.

Individual liability.

SECTION 2. That the lands to be conveyed to the said company in fee simple by the parties owning the same, shall form a common stock and be divided into a convenient number of shares, and apportioned by the said company among the subscribers, according to their respective interests, for which certificates of stock shall be issued and be assignable and transferable in such way, and subject to such conditions as the said company may from time to time prescribe; and the said shares of stock so created shall, for all legal purposes whatever, be deemed and treated as personal estate, and the said corporation may, whenever it is deemed necessary or expedient, with the consent of the holders of a majority of the shares of the said stock, levy and collect assessments and forfeit and sell delinquent shares, in such manner as the by-laws may direct: *Provided*, That the quantity of land which shall be held by the said company, at any one time, shall not exceed three thousand acres.

SECTION 3. That the stockholders shall meet as soon as practicable after the passage of this act, notice of the time and place of such meeting having been first given by advertisement in one newspaper published in the county of Northumberland, and in one daily paper published in the city of Philadelphia, and annually thereafter, at such time and place as shall be fixed upon, and shall then and there proceed to elect, by ballot, five directors, to serve for the term of one year, and until others are chosen in their places; and said election shall be made by such of the stockholders of said company as shall attend for that purpose, either in person or by proxy, each share of stock to entitle the holder thereof to one vote; the directors so chosen, shall elect one of their number to be president of the board of directors of said company.

SECTION 4. That the directors shall have full power to make by-laws, and to appoint such officers and agents as they shall deem expedient for the well conducting and transacting the business of the company, to declare and provide for the payment of dividends to the stockholders, and in general to superintend the business and concerns of the company: *Provided*, Such by-laws shall not be repugnant to the constitution and laws of this state or of the United States: *And provided*, That this act shall not be construed to confer upon the said company banking privileges.

SECTION 5. That the said company shall pay into the state treasury a bonus of two and one-half per centum on the capital stock hereby authorized, in three equal annual instalments, in lieu of any and all taxes upon dividends, the first of which instalment shall be paid within one year from the date of the organization of the company; and the stockholders of said company shall be individually liable, jointly and severally, for debts due mechanics, workmen and laborers employed by said company, and for materials furnished said company, to be sued for

and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debts, unless the same shall be sued for within one year after they shall become due.

SECTION 6. That the privileges hereby granted shall not be enjoyed for a period longer than twenty years, unless extended or renewed by act of assembly. *Limitation.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 18.

AN ACT

Extending the provisions of the sixth section of the act of April tenth, one thousand eight hundred and thirty-seven, relative to the proceedings in District Court of Philadelphia to Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sixth section of the act of assembly approved April tenth, one thousand eight hundred and thirty-seven, entitled "An Act to confirm and render valid the proceedings of the district court for the city and county of Philadelphia, in actions of partition heretofore instituted in the said court, and to make good and valid certain acknowledgments of sheriff's deeds, and for other purposes," be and the same is hereby extended to the county of Northampton.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 19.

AN ACT

To provide for the payment of the Direct Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the quota of the direct tax apportioned to the state of Pennsylvania for the fiscal year commencing April first, one thousand eight hundred and sixty-two, by the act of congress, entitled "An Act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," passed on the fifth day of August, one thousand eight hundred and sixty-one, to wit: The sum of one million nine hundred and forty-six thousand seven hundred and nineteen and one-third dollars, be and the same is hereby assumed by the state of Pennsylvania; and that for the purpose of paying and satisfying the same to the treasury of the United States, after deducting such per centum as may be allowed thereon, in accordance with the provisions of said act, the governor is hereby authorized to release to the United States the whole or any part of the claim of this state against the United States, and to pay any balance of said quota that may remain due after such release, out of any moneys heretofore refunded, or that may hereafter be refunded to this state by the United States, on account of expenses incurred by this state in enrolling, subsisting, clothing, supplying, arming, equipping, paying and transporting volunteers employed in aiding to suppress the present insurrection against the United States.*

SECTION 2. That the governor of this commonwealth be requested to forward to the secretary of the treasury of the United States, on or before the second Tuesday of February, one thousand eight hundred and sixty-two, a copy of the foregoing section.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 20.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to authorize Isaac Meason and Zachariah Connell, their heirs and assigns, to erect, build and maintain a Toll Bridge across the Youghiogheny river at Connellsville, in Fayette county," passed the fifteenth day of March, one thousand eight hundred, and the supplement thereto, approved the seventeenth day of April, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the president and secretary of the Youghiogheny bridge company shall certify to the governor, under the corporate seal of said company, that two hundred shares or more of the capital stock thereof have been subscribed, and ten dollars per share paid thereon, together with a list of the subscribers, the governor shall, by letters patent, constitute the said subscribers, and those who may in future become subscribers to the stock of said company, a body politic and corporate, in deed and in law, by the name and style of the Youghiogheny bridge company.

When letters patent to be issued.

SECTION 2. That it shall be the duty of the secretary of the Youghiogheny bridge company, to give public notice of all elections hereafter to be held for officers of said company, by advertisement in one or more newspapers published in Fayette county, for three weeks preceding any such election, or by at least ten handbills posted up in conspicuous places, at least fifteen days before such election; and the election heretofore held by said company, and all subscriptions heretofore made to the capital stock thereof, are hereby declared legal and valid.

Secretary to give public notice of elections.

SECTION 3. That if it shall happen that no election shall be held on the day prescribed for that purpose in the supplement to which this is a supplement, it shall be lawful to hold said election on any other day, after notice given as required by this act, and all elections shall be conducted in such manner as the by-laws of the corporation shall ordain; vacancies in the board of managers occurring by death, resignation, inability or refusal to act, removal or otherwise, shall be supplied by said board from among the members of the corporation.

Certain election, &c., made legal.

When elections to be held.

Vacancies in the board of managers.

SECTION 4. That the said Youghiogheny bridge company are hereby authorized to borrow any sum of money, not exceeding five thousand dollars, and issue its bonds therefor, but no bonds shall be issued of a less denomination than one hundred dollars.

Authorized to borrow money.

SECTION 5. That the stock of said company shall be called in and paid, at such times and in such instalments, as the president and managers shall require, of which public notice shall be given at least ten days next preceding the time appointed for that purpose, in the manner before mentioned, and if any stockholder shall neglect to pay such subscription or instalment, so called, at the time appointed, or shall fail to pay the same or

Stock, when and how to be paid in.

Penalty for neglect to pay instalments.

any part thereof for the period of six months, he, she or they shall, at the discretion of the president and managers, forfeit, to the use of the company, all right, title and interest in and to every and all shares on account of which such default in payment may be made as aforesaid, or the president and managers may cause suit to be brought before any competent tribunal for the recovery of the amount due on such share, with legal interest thereon; and in the event of a forfeiture, the share or shares so forfeited, may be disposed of at the discretion of the president and managers, under such rules and regulations as may be prescribed by the by-laws.

Empowered to
contract with
original owners.

SECTION 6. That it shall be lawful for the president and managers of said company, and they are hereby empowered to contract with the owners, thereof, for the purchase of all the lands, shore and ferry, right and privileges originally belonging to Isaac Meason and Zachariah Connell, on the Youghiogheny river, and which were appropriated by the said Isaac Meason and Zachariah Connell, to the uses and purposes of the bridge and ferry, with all the rights and privileges appurtenant thereto.

By-laws.

SECTION 7. That the members of the said company shall have full power and authority to make, ordain and put in force all such by-laws, rules and regulations as shall be necessary for the government, and conducting the business of the said company, not inconsistent with the constitution and laws of the United States or of this commonwealth, nor with the original act of incorporation, or the supplements thereto.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 21.

AN ACT

For the relief of Temperance Norris, widow of Samuel Norris, an old soldier.

WHEREAS, By an act of the general assembly of this commonwealth, approved the first day of May, one thousand eight hundred and sixty-one, intended for the relief of Temperance Norris, widow of Samuel Norris, an old soldier, by mistake the name is made to read Temperance Morris; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Temperance Norris, widow of Samuel Norris, an old soldier, (for whom it was intended,) is hereby declared to be entitled to receive the gratuity mentioned in an act, entitled "An Act for the relief of Temperance Morris, widow of Samuel Morris, an old soldier," approved the first day of May, one thousand eight hundred and sixty-one.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 22.

AN ACT

Providing for the Election of Councilmen and Collection of Taxes in Millville borough, Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the legislative power of the borough of Millville, Cambria county, shall be vested in a town council, which shall be composed of six members, who shall be elected as follows: On the third Friday of February, Anno Domini one thousand eight hundred and sixty-two, the qualified electors of the borough shall elect two persons to represent them in the town council for one year, two to serve for two years and two to serve for three years, and on the third Friday in February, in each and every year thereafter, the qualified electors of said borough shall elect two persons to represent them in council for three years; a majority of the members of the council shall constitute a quorum to transact business; the burgess shall act as president, and sign all ordinances passed by the council and all warrants drawn upon the borough treasurer. Election of councilmen.

SECTION 2. That on the Tuesday next succeeding their election, the councilmen elected shall assemble at the usual place for the meeting of council, and shall be severally sworn or affirmed to support the constitution of the United States and of this state, and to discharge their duties as councilmen with zeal and fidelity; and having been thus duly qualified, shall proceed to elect one person, who need not be a member of council, as clerk; in case of a vacancy occurring in the office of councilman, from Meeting of council.
Election of clerk.
Vacancies.

death, resignation or removal, the council shall have power to fill such vacancy by appointment, until the next succeeding election.

Mode of collecting borough tax.

SECTION 3. That in lieu of the mode now provided by law for collecting the borough tax within the limits of the said borough, the same shall be done as follows: As soon after the organization of council, in each and every year, as practicable, and not later than the first day of June, the town council shall fix the rate per centum of the tax, which shall not exceed ten mills on the dollar of assessed valuation for county rates and levies, and cause a duplicate to be made out and placed in the hands of the borough treasurer, who, thereupon, shall give notice, by handbills numerously posted within the borough limits, that he is ready to receive taxes; on all taxes paid on or before the first day of August, the treasurer shall allow an abatement of five per centum; on all paid after the first day of August and before the first day of September, he shall receive the amount in full, and on all paid to him subsequent to the first day of September, he shall add five per centum; on the first day of October in each year, the treasurer shall make out a list of delinquent taxpayers, with the amount due from each, with ten per centum additional added, and place the same in the hands of the high constable, whose duty it shall be to receive the same, under a penalty of fifty dollars for refusing to receive the list; and the said treasurer is hereby authorized to issue to said constable his warrant, granting him all the powers and immunities now by law invested in the collector of county rates and levies; and that it shall be the duty of said constable to proceed immediately to collect the same by levy, distress and arrest, in obedience to his warrant, and to make return of his warrant, and the amount collected, within sixty days from the time the same is placed in his hands; and on failure to do so, or to faithfully execute his warrant, he shall be personally responsible for the amount not collected, except such amounts as the councils, may exonerate him from collecting; and the said amount, for which he becomes responsible, may be recovered from him by the borough as other debts are by law recoverable; the said treasurer and constable shall give bond, conditioned for the faithful discharge of their respective duties.

What to be taxable, &c.

SECTION 4. That all property, offices, professions and persons, made taxable by the laws of this commonwealth for county rates and levies, shall be taxable, after the same manner, for borough purposes, and all taxes shall be based on the last preceding assessment for county purposes, a transcript whereof it shall be the duty of the county commissioners of Cambria county to furnish to the burgess of said borough, on demand.

Council to elect burgess in case of vacancy.

SECTION 5. That in case of a vacancy occurring in the office of burgess, by death, resignation or otherwise, the town council shall elect a person, duly qualified, to fill the balance of the term.

Provisions of the act regulating boroughs extended.

SECTION 6. That from and after the passage of this act, the several provisions of the act of assembly, passed the third day of April, in the year one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," be and the same are hereby extended to Millville borough.

OF THE SESSION OF 1862.

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SECTION 7. That all acts and parts of acts inconsistent with Repeal. the provisions of this act, so far as the same relates to the borough of Millville, be and the same are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 23.

A N A C T

For the payment of Road Viewers and Surveyor in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be the duty of the person or persons who get out an order from the court of quarter sessions of Northumberland county, to view any public road, or to assess the damages on any public road, to pay to the viewers and surveyor, the amounts now allowed them by law for such services; and that the viewers and surveyor shall state, in their report, the number of days engaged in viewing and surveying the same, the amount paid them, and by whom paid; and that upon the production by the person or persons who paid the viewers and surveyors, of a certificate from the clerk of the court of quarter sessions of said county, of the amount paid and by whom paid, that the same shall be paid by the treasurer of the said county, upon an order drawn upon him in the usual manner, out of the funds of the county, in all cases which the county of Northumberland is now liable by law for the payment of the same; and that so much of any former act or acts of assembly as are inconsistent with this act is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 24.

AN ACT

Declaring Jenny Smith, daughter of Elizabeth Stone, an adopted daughter of Frederick Hillworth, of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Jenny Smith, daughter of Elizabeth Stone, formerly of Lionville, Chester county, in this commonwealth, is hereby declared to be the adopted daughter of Frederick Hillworth, of the Twenty-fourth ward, of the city of Philadelphia, and shall be capable of receiving by devise, or inheriting under the intestate laws of this commonwealth, the same as if she were the lawful child of the said Frederick Hillworth, and shall possess all the rights and privileges in law, and to all intents and purposes be regarded as his own child born in lawful wedlock.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 25.

AN ACT

Authorizing the School Directors of Taylor School District, in the county of Lawrence, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the school directors of Taylor school district, Lawrence county, are hereby authorized to borrow any sum of money, not exceeding one thousand dollars, and issue bonds for the same, in sums

not less than one hundred dollars each, bearing a rate of interest not exceeding seven per centum per annum.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 26.

AN ACT

Relative to the Bank of Penn Township, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, entitled "An Act to incorporate the Bank of Penn Township, in the county of Philadelphia," approved the second day of February, one thousand eight hundred and twenty-eight, as requires that nine of the directors of the said bank shall be residents of that part of the city of Philadelphia formerly known as Penn township, the president to be elected from among the directors residing in said township, be and the same is hereby repealed. Repeal of section relative to residence of directors.

SECTION 2. That so much of the act passed March twenty-ninth, one thousand eight hundred and fifty-one, as provides that no person shall be eligible as director of any bank in the county of Philadelphia, who shall not have been a stockholder thereof at least three calendar months before the time of election, be and the same is hereby repealed, so far as relates to the Bank of Penn Township. Eligibility of directors. Repeal.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 27.

AN ACT

For the Relief of Edmund Lockwood.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Edmund Lockwood, of Bradford county, who was a contractor for the building of fence on the Tioga division, North Branch canal, in Anno Domini one thousand eight hundred and forty, the sum of twenty dollars and seventy cents, which appears to be yet due and remaining unpaid, by the books of the auditor general, out of any moneys in the treasury not otherwise appropriated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 28.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to erect the village of Honesdale, in the county of Wayne, into a borough."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of said borough be and are hereby authorized and empowered, in addition to the tax now authorized to be assessed and collected in said borough by the act to which this is a supplement, to assess and collect an additional tax, not to exceed ten mills on the dollar annually, for the next five years; the same to be paid in money, and to be assessed and collected in same manner as is now provided by law for the assessment and collecting of taxes in said borough.

Town council
authorized to as-
sess additional
tax.

SECTION 2. That the time allowed to the owner or owners, occupant or occupants of any lot or lots, to make suitable side walks along and opposite to their respective lots, as is provided for in the first section of a supplement to said act, approved by the governor the eighth day of April, Anno Domini one thousand eight hundred and forty-eight, be and the same is hereby altered and amended from ninety days to thirty days, and all the proceedings provided for under said section may be had and taken by the said town council, after said notice of thirty days, as fully as originally provided for in the same after ninety days notice.

SECTION 3. That the town council of said borough be and are hereby authorized and empowered to erect a lock-up house in said borough, and appoint, from time to time, a keeper thereof; the expenses of the erection thereof, and compensation of the keeper, to be paid out of the funds of said borough; and any person or persons convicted and adjudged to pay a fine, before and by any justice of the peace or the chief burgess thereof, for the violation of any of the by-laws or ordinances of said borough, who shall refuse to pay the same, together with the costs of said proceedings, shall be liable to and may be, by the order of said justice or chief burgess before whom said conviction was had, committed to the said lock-up house for a period to be fixed in said order, not to exceed forty-eight hours; said order to be in writing, directed to the keeper thereof, who is hereby directed to receive and confine said person or persons therein named, for the period therein fixed, in said lock-up house, and provide necessary food during said period: *Provided*, Said confinement shall not affect the right to collect, by execution, said penalty and cost adjudged, as aforesaid, against said person or persons.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 29.

AN ACT

Changing the name of Electa Satterfield, and adopting her as the child of William Budd and Catharine, his wife.

WHEREAS, William Budd and Catharine, his wife, of the borough of Sharon, in the county of Mercer, having received Electa Satterfield into their family when she was an infant, and

by consent and agreement of Martha Satterfield, who is a widow and the mother of the said Electa, adopted her as their own daughter, and being desirous that she should enjoy all the rights, privileges and immunities of heirship, as if she were their own child; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Electa Satterfield be and hereby is changed to that of Ettie R. Budd, by which name she shall henceforth be called and known, and by that name shall be able and capable in law of suing and being sued, also to grant, bargain, sell, receive, take and inherit, any estate, real and personal, and to do all other acts and things as effectually as if she had always been known by that name; and that she, the said Ettie R. Rudd, shall be entitled to have and enjoy all the rights and privileges to which she would be entitled if she were a child of the said William Budd and Catharine, his wife; and that she shall be able and capable in law to take, hold, inherit and possess, pass, transmit and convey, all and every estate, real and personal, whatsoever, of the said William Budd and Catharine Budd, to all intents and purposes as if she were a child born of them, the said William and Catharine Budd, in lawful wedlock.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 30.

AN ACT

To allow the taxes on a certain Island in the Susquehanna river to be paid into the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eleventh section of an act passed the seventh day of March, Anno Domini one thousand eight hundred and forty, which authorizes the taxes on an island in the river Susquehanna, belonging to Andrew Shuman, and situate in the county of Dauphin, to be paid into the treasury of Perry county, be and the same is hereby repealed, and that the taxes on said island shall

hereafter be paid to the collectors of taxes for Upper Paxton township, Dauphin county.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 31.

A N A C T

Relative to the collectors of School Taxes in Jefferson county, for the year one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it may be lawful for any of the collectors of school taxes in and for the county of Jefferson, for the year one thousand eight hundred and sixty, to make return to the commissioners of Jefferson county, all lands upon which taxes have not been paid, for the year one thousand eight hundred and sixty, and the same shall be as valid as if they had been returned at the time specified by the act of assembly, when lands are to be returned for the non-payment of taxes: Provided however, That the same shall be returned in time to have the said lands advertised and sold at the treasurer's sales in June, one thousand eight hundred and sixty-two.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 32.

AN ACT

Repealing an act creating a new School District in Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, creating a new school district from portions of North Moreland and Eaton townships, in Wyoming county, be and the same is hereby repealed; and all taxes for school purposes in said townships shall be collected and applied the same as if said new district had not been authorized.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 33.

AN ACT

Relative to the Macadamizing of a certain Road in Canton township, Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors of Canton township, in the county of Washington, are hereby authorized and required to give credit to the various citizens of the said township, on their road taxes, who have subscribed and paid money, or who may hereafter subscribe and pay money, to macadamize the Washington and West Middletown road through said township, for the sums which they have paid or may hereafter pay for said purpose, and where persons have paid a sum greater than their taxes for a single year shall amount to, they shall be allowed a credit on their road taxes on each succeeding year, until the said sum is repaid to them: *Provided, That when a difficulty shall arise as**

to the amount paid by any citizen for the repair of said road, the same proceedings may be had to ascertain the same, as is provided for the adjustment of the price of materials taken for the repair of public roads, as provided by the act of assembly, passed on the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 34.

AN ACT

Fixing the place of holding elections in Clearfield township, Cambria county.

WHEREAS, The house fixed by law as the place for holding the elections for the township of Clearfield, in the county of Cambria, has become inconvenient for said purpose :

And whereas, The court of quarter sessions for Cambria county will not hold a session until after the time fixed by law for holding the next spring election ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and township elections for the township of Clearfield, in the county of Cambria, shall be hereafter held at school house number three, adjoining the village of Saint Augustine, in said township.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 35.

A SUPPLEMENT

To an act, entitled "An Act to lay out a State Road in Clarion and Venango counties," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* C. Reichart, D. B. Hamm and W. W. McClelland, be and hereby appointed commissioners to review that portion of a state road leading from Reimersburg, in Clarion county, to the Allegheny river, at or near the mouth of Hemlock, in Venango county, that lies between Reimersburg and Crary's school house, in Clarion county, under the same restrictions and provisions of the act to which this is a supplement.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 36.

AN ACT

To Re-audit certain Accounts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditors of Warren county be and they are hereby authorized to re-audit the accounts of Rufus Olney and R. K. Russell, late treasurers of Warren county, with the commonwealth, and the auditor general and state treasurer are authorized and required to review and settle finally the accounts of the said Ol-

ney and Russel, according to the report to be made by them instead of that made by a former board of auditors.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 37.

AN ACT

Authorizing the Trustees of the Methodist Episcopal Church at Downingtown, to grant and convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John F. Aldred, Robert Skeen, Davis Mann, Thomas J. Aldred, L. Wesley Ayars, George B. Thomson, Elisha Webster, James T. Mullin and Joseph N. M'Corkle, trustees of the Methodist Episcopal church at Downingtown, or any six of them, be and they are hereby authorized and empowered to grant and convey, in fee simple, to Joshua B. Sharpless, his heirs and assigns, all that certain lot and parcel of land, situate in the borough of Downingtown, in the county of Chester, and state of Pennsylvania, bounded by lands of the said Joshua B. Sharpless, Doctor Jacob Sharpless and Doctor John P. Edge, containing sixty perches more or less, with the appurtenances.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 38.

SUPPLEMENT

To an act, entitled "An Act to encourage the destruction of Noxious Animals in certain counties."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act, entitled "An Act to encourage the destruction of noxious animals in certain counties," approved the fourteenth day of February, Anno Domini one thousand eight hundred and sixty, as relates to the counties of Lycoming and Clinton, be and the same hereby is repealed.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 39.

AN ACT

Fixing the place of holding Elections in East Norwegian township, Schuylkill county.

WHEREAS, The house fixed by law as the place for holding the elections for the township of East Norwegian, in the county of Schuylkill, has become inconvenient for said purpose:

And whereas, The court of quarter sessions for Schuylkill county will not hold a session until after the time fixed by law for holding the next spring election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the general, special and township elections for the township of East Norwegian, in the county of Schuylkill, shall be hereafter held at the public house of John Dormer, in said township.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

We do hereby certify that the bill, No. 77, entitled "An Act fixing the place of holding elections in East Norwegian township, Schuylkill county," was presented to the governor on the fifth day of February, Anno Domini one thousand eight hundred and sixty-two, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,
Clerk of the House of Representatives.

GEO. W. HAMERSLY,
Clerk of the senate.

HARRISBURG, February 20, 1862.

No. 40.

AN ACT

Supplementary to the act incorporating the borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to annex part of the township of Norwegian, in the county of Schuylkill, to the borough of Pottsville, and to establish a new ward in the said borough," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby repealed. Repeal.

SECTION 2. That the tracts of land known as the Squan tract, and the Eyre tract, and so much of the Minnich and Zoll tract that lies north of a continuation of the south line of the Stephens Green tract, be and the same is hereby annexed to and made part of the borough of Pottsville. Certain tracts of land annexed to Pottsville.

SECTION 3. That so much of the territory annexed to the borough of Pottsville by the first section of this act, that lies north of a line extended from the termination of High street, and on the same course of the said street until it strikes the west line of the borough as fixed by this act, shall be annexed to and form part of the North-West ward of the borough of Pottsville; that so much of the territory aforesaid, as is bounded on the north by the part above annexed to the North-West ward, and on the south by Norwegian street, as marked on the plan of Wood's addition, shall be annexed to and form part of the Middle ward of the borough of Pottsville; and the residue of the said territory shall be annexed to and form part of the South ward of the borough of Pottsville. Portions of territory annexed to the several wards.

SECTION 4. That the act, entitled "An Act to create a new ward in the borough of Pottsville," passed the twenty-sixth New election precinct created.

day of February, Anno Domini one thousand eight hundred and sixty-one, shall be construed as creating an election precinct of the South ward, and not as creating a new and distinct ward of the borough of Pottsville.

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 41.

AN ACT

To incorporate the Franklin and Oil Creek Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. Thomas H. Martin, A. Plumer, William M. Epley, Thomas Hoge, James Bleakley, Richard Irwin, S. P. M'Calmont, George H. Bissell, J. L. Hanna, C. Heydrick, William Hilands, Joseph Shafer, P. M'Gough, James Wilson, C. C. Waldo, M. W. Kelsey, William Hasson, S. Q. Brown and Robert Lamberton, or any seven of them, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Franklin and Oil Creek turnpike company, with power to construct a turnpike or plank road, or part turnpike and part plank, from the borough of Franklin, in the county of Venango, to the village of Oil City, in said county, with privilege to extend the same up the valley of Oil creek, to any point within said county, and also to extend the same from Franklin, to any convenient point on any railroad in the counties of Mercer or Crawford, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered and supplied.

Name.

Route.

Subject to.

Capital stock.

Proviso.

SECTION 2. That the capital stock of the said company shall consist of three hundred shares, of fifty dollars each share: *Provided,* That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road and carry out the true intent and meaning of this act.

SECTION 3. That it shall be lawful for the said company to make use of any county bridge on the line of the route of their road; and also use the whole or any part of any public street or road, and locate their road upon the ground occupied by any public street or road; and the courts of quarter sessions of the respective counties through which the road of the said company may pass, shall appoint viewers to view and vacate such parts of any public road as shall be used or rendered unnecessary by the construction of the said company's road, as is provided by the general road laws of this commonwealth, in the cases of roads which have become useless.

May use county bridges and public streets or roads.

Appointment of viewers.

SECTION 4. That the president and managers of said company shall have power to establish and regulate rates of tolls, not exceeding double the rates established by the act hereinbefore mentioned, and to erect toll gates and collect tolls whenever one mile of their road shall have been completed.

Rates of tolls.

SECTION 5. That the said company shall have power to borrow money, at any rate of interest not exceeding eight per centum per annum, for the purpose of completing their road, and issue bonds therefor, and secure the same by mortgage of their road and franchises.

Borrow money.

SECTION 6. That an act incorporating a company to construct a turnpike road between the said borough of Franklin and the borough of Warren, in the county of Warren, and all other acts or parts of acts relating thereto, inconsistent with the rights and franchises hereby granted, be and the same are hereby repealed.

Repeal of a certain act of incorporation.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 42.

AN ACT

To authorize the Buck Mountain Coal Company to purchase, in certain cases, real estate at sheriff's sale, et cetera.

WHEREAS, The Buck Mountain coal company have in the course of their business taken judgments against persons indebted to them, the lien of which judgments would be defeated by sheriff's sales of real estate, which may be made by other creditors under subsequent encumbrances, and the said company

be thereby subjected to great losses, unless permitted to bid at such sales and secure adequate prices for such property ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever any real estate, situate in this commonwealth, upon which any judgment or mortgage, held by the Buck Mountain coal company, shall be a lien, shall be exposed to sheriff's sale, under any execution which may be issued by any creditor or encumbrancer, it shall be lawful for the said company to purchase such real estate at such sale, and hold the same in fee simple, notwithstanding they may already hold the quantity of land allowed by law or their charter : Provided nevertheless, The defendant in the execution, as whose property the said real estate may be sold, shall, at any time within one year after the date of such sale, be entitled to a conveyance of the said estate from said company, on payment to them of the moneys paid therefor at such sale, and by reason of any costs thereof, and encumbrances and taxes on the property, together with the amount of the judgment or mortgage held by the said company, with lawful interest and costs: And provided also, That the said company shall in such settlement give credit for all sums which they may have collected as rent, or otherwise, from the said real estate during the time of holding the same : And provided also, That the value of the real estate purchased as aforesaid, by virtue of this act, and held at any one time, shall not exceed in value the sum of seventy-five thousand dollars.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 43.

AN ACT

In relation to the account of Evans R. Brady, former treasurer of Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if Evans R. Brady, former treasurer of Jefferson county, shall,*

within six months from the date of the passage of this act, pay into the state treasury the amount of the debt, without the interest, now due and owing by him, then and in that case the auditor general be and he is hereby authorized and required to liquidate the same.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 44.

AN ACT.

To authorize the Commissioners of Cambria county to make settlement with George W. Easley and Wesley J. Rose.

WHEREAS, George W. Easley and Wesley J. Rose, entered into a contract with the commissioners of Cambria county, for the erection of a bridge over the Conemaugh river, at Johnstown :

And whereas, When partly completed, said bridge and a large amount of materials provided for its construction, were swept away by a freshet, this involving said contractors in a serious loss :

And whereas, The said George W. Easley and Wesley J. Rose have since purchased new materials, and erected said bridge as provided for in said contract ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Cambria county be and they are hereby authorized to make settlement with the said George W. Easley and Wesley J. Rose, and to allow them such compensation for the loss sustained in consequence of said freshet, as to the said commissioners may seem just and reasonable.

JOHN ROWE,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

LAWS OF PENNSYLVANIA,

No. 45.

AN ACT

To pay S. J. Res, as clerk to the committee in the Contested Election of Charles F. Abbot.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay to S. J. Res, the sum of three dollars per day, for twenty-three days, and mileage, to be certified to by the chairman of the committee.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 46.

AN ACT

To prevent hunting Deer with dogs in Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act to prevent the hunting of deer with dogs in certain counties of this commonwealth, approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby extended to the county of Columbia.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 47.

AN ACT

To enable the Commissioners of Butler county to adjust certain Claims.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of said county of Butler, or a majority of them, are hereby authorized and empowered to make arrangements and enter into negotiations for the purchase or payment of certain bonds issued by said county to the North-Western railroad company, and by said company paid out previous to the first day of January, Anno Domini one thousand eight hundred and fifty-eight, and in all cases where they shall agree with the holder of such bonds for the cancellation of the same, and for the issue of other bonds in the name of said county for that purpose, bearing any rate of interest not exceeding seven per centum per annum: *Provided,* That the said commissioners shall have authority and they are hereby authorized to constitute any person or persons their attorney in fact, whose acts in the premises shall be valid and binding.

Negotiation for the cancellation of bonds issued to the North-Western railroad company authorized.

Provide.

SECTION 2. That the said commissioners be and they are hereby authorized to confess a judgment in the court of common pleas of Butler county, to such person or persons as they may think proper, in any sum as may be agreed upon by the commissioners, in trust for such creditors as they shall designate by schedule, which judgment shall be collectable in like manner as similar judgments are now collectable.

Commissioners may confess judgment in certain cases.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 48.

AN ACT

Relating to the election of Supervisors of Roads and Overseers of the Poor in Old Lycoming township, in the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the qualified voters of Old Lycoming township, in the county of Lycoming, shall, at the usual time of holding township elections, in said township, elect one supervisor and one overseer of the poor instead of two supervisors and two overseers of the poor, as now authorized by law; and that so much of any act of assembly as conflicts with this act, be and the same is hereby repealed so far as Old Lycoming township, in the county of Lycoming, is concerned.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 49.

AN ACT

To prevent the destruction of Trout in the counties of Lehigh and Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act it shall not be lawful for any person or persons to take, catch or kill any trout in any of the streams or ponds of water in the counties of Lehigh and Northampton, by means of baskets, seines, nets, or snares or trap of any kind whatever, or by means of lime or other poisonous substance: *Provided, That* it shall be lawful for any person or persons to take, catch or kill any trout, in any of the said streams or ponds of water, by angling, between the first days

Taking or killing
trout in a certain
manner prohi-
bited.

Proviso.

of April and October in each year, and at no other period and in no other way.

SECTION 2. That any person or persons violating the previous section of this act, shall forfeit and pay the sum of five dollars for every offence, to be recovered before a justice of the peace by an action of debt in the name of the commonwealth; said sum of five dollars to be for the use of the directors of the poor and house of employment for the county in which the offence shall have been committed; the informer to be hereby made a competent witness in said action.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 50.

A SUPPLEMENT

To an act, entitled "An Act authorizing the Treasurer of the borough of Connellsville, in the county of Fayette, to sell certain lands in said borough, for the payment of taxes thereon," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of the act to which this is a supplement, as requires the treasurer of the borough of Connellsville to give notice in one weekly newspaper, published in said borough, be and the same is hereby repealed; and the said treasurer is hereby required to give notice of all sales, authorized by the act to which this is a supplement, in at least one newspaper published in Uniontown, and also in handbills, as required by said act.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 51.

AN ACT

To repeal an act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," so far as the same relates to the township of West Penn, in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," be and the same is hereby repealed so far as the same relates to the township of West Penn, in said county of Schuylkill; and that the law, as existing prior to the passage of the act hereby repealed, as aforesaid, be and the same is hereby revived in said township.

JOHN ROWE,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 52.

AN ACT

In regard to Municipal Claims in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever a claim shall be filed in the name of the city of Philadelphia, for any charge or assessment for curbing, paving, grading, laying of water pipes, or any other municipal debt or demand whatever, it shall be lawful for the person against whom or whose land said claim is filed, or who is entitled to take defence thereto, to give notice, in writing, to the counsel of record or person, if any, for whose use the same is filed, or if

Writ of scire facias to issue in cases of certain municipal claims

there be no such counsel or person, to the solicitor for said city, requiring him to issue a writ of *scire facias* thereon to the next monthly return day, which shall be at least fifteen days from the date of said notice; and if no such writ be issued, the court, in which said claim is filed, may and shall, on motion and due proof of such notice, strike said claim from the record.

SECTION 2. That any person entitled to take defence to said claim, may, at any time after the same is filed, pay into court the amount thereof, with a sum sufficient to cover interest and costs, to abide the event of any proceedings thereon; and, thereupon, said claim shall cease to be a lien upon any land and shall be stricken from the judgment index.

Claims may be paid into court to abide result of proceedings.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 53.

AN ACT

To establish a Board of Health for the borough of Honesdale and the township of Texas, in Wayne county.

WHEREAS, The borough of Honesdale and the township of Texas are so situated, that contagious diseases in the one must necessarily spread into the other; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of more effectually protecting the lives of the citizens thereof, the said borough of Honesdale and the township of Texas, be constituted a body politic and corporate, to be called "The Health district of Honesdale and Texas," to be under the control and management of the town council of the said borough, and the supervisors of said township.

Health district incorporated.

SECTION 2. That whenever any person or persons within the limits of the said health district shall be sick, with the small pox, varioloid, or other contagious or infectious diseases, the board of health of said district may, if in their judgment the health and well being of the citizens of the said district require the same to be done, remove such sick person or persons to some suitable house, to be provided and furnished as hereinafter provided, and such sick person or persons shall remain in such house until so far recovered, as to be, in the opinion of his, her,

Duties of the board of health.

or their physician, or in the opinion of any physician appointed by said board of health to examine such sick person, incapable of communicating such disease to others, and, until such sick person or persons shall have obtained from such physician a written certificate, setting forth the fact of such recovery, and that the town council of said borough, and the supervisors of said township respectively, may furnish said house to which to remove such sick person or persons as may fall sick in said borough or township, at the expense of said borough or township respectively, or they may furnish the same at their joint expense.

Heads of families to communicate information of contagious sickness to secretary of council.

SECTION 3. That when any case of small pox or varioloid shall occur in any family in said district, the head of such family shall communicate as soon as the same shall be known to him, or her, the fact of the existence of the small pox or varioloid in his family, to the secretary of the town council of the borough of Honesdale.

Duties of physicians in reference to the same.

SECTION 4. That whenever any physician shall visit any sick person in said district, and shall discover that such person is sick with the small pox or varioloid, such physician shall give immediate information of such fact, together with the name of such sick person, and the name of the head of the family in which such sick person may be, and the street in which, or the road upon which such family may reside, to the secretary of the said town council.

Board of health may mark houses where such diseases exist.

SECTION 5. That the said board of health may, if they see fit, mark or designate any house or place where the small pox, varioloid, or other contagious or infectious disease exists, by means of a flag or sign, for the purpose of warning the public against approaching such house or place; and all persons are hereby prohibited and forbidden to remove, or destroy, or mutilate any such flag or sign.

Visitation during sickness prohibited.

SECTION 6. That whenever any person or persons shall be sick with the small pox or varioloid, in any family in said district, it shall be the duty of the head of such family to prevent all persons from frequenting or visiting his or her house, or family, during the existence of such disease in the same, except such persons as are necessary for the purpose of administering to, or taking care of the person or persons so sick, as aforesaid: And further, it shall be the duty of the head of such family to prevent any member of his or her family, from frequenting any family or house, within said district, during the existence of such sickness in his or her family; and any person so sick as aforesaid, with the small pox or varioloid, shall remain, unless removed by the said board of health, town council, or supervisors, in the house or family where he or she may be sick, until so far recovered as to be, in the opinion of his or her physician, incapable of communicating the disease to others, and until such person shall have obtained from such physician a written certificate, setting forth the fact of such recovery.

When a certificate of recovery may be issued.

Regulations relative to burials.

SECTION 7. That no person or persons shall bury, or cause to be buried within said health district, the body of any person who shall have died of small pox or varioloid, unless the same be done between the hours of ten o'clock, P. M., and four o'clock, A. M.; and all persons are hereby forbidden to encour-

age, promote, aid or direct such burial, except during the time aforesaid; and it is hereby declared to be unlawful for any person or persons to carry the body of any person who shall have died of small pox or varioloid, into or through said district, or any part of the same, for the purpose of the burial of such body, or for any other purpose, unless the same be done within the hours aforesaid.

SECTION 8. Any six of the said town council and supervisors shall be a quorum for the transaction of business, and shall have authority to make and establish all needful rules and regulations to carry the provisions of this act into effect. Quorum of the board.

SECTION 9. Any physician offending against the provisions relating to the duty of physicians in this act, shall for each and every offence incur and pay a fine of not less than twenty-five dollars, nor more than fifty dollars; and any other person offending against any provision of any section of this act, shall for every such offence, incur and pay a fine of not less than five dollars, nor more than fifty dollars, one half thereof to be paid equally to the said town council and supervisors aforesaid, and the other half to be paid to the person at whose instance such suit may be brought; such suit to be brought before any justice of the peace in and for Wayne county, in the name of the board of health for the district of Honesdale and Texas, at the instance of the party suing for the same, and the said district in no case to be liable for costs, unless such suit be commenced at the instance of the board of health. Fines for offences against the provisions of this act.

SECTION 10. Any person who shall wilfully and knowingly communicate, or spread, or shall wilfully and knowingly cause to be communicated and spread, small pox, varioloid, or other contagious or infectious disease, to or among the inhabitants of said district, shall be guilty of a misdemeanor, and on conviction thereof in the court of quarter sessions of Wayne county, shall be sentenced to pay a fine of not less than one hundred dollars and costs of prosecution, and to undergo imprisonment in the jail of said county for not less than thirty days, or either, at the discretion of the court. Penalty for wilfully spreading any contagious diseases.

JOHN ROWE,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 54.

AN ACT

To legalize the official acts of Benjamin Jay, a Justice of the Peace.

WHEREAS, The commission of Benjamin Jay, a justice of the peace for the borough of Scranton, county of Luzerne, expired on the sixteenth day of April, Anno Domini one thousand eight hundred and sixty one, and on that day he was duly re-elected to serve an additional term of five years, but, owing to some mistake, failed to procure a commission for the new term until the ninth day of September following; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the official acts of the said Benjamin Jay, transacted between the dates of the sixteenth day of April, one thousand eight hundred and sixty-one, and the ninth day of September, one thousand eight hundred and sixty-one, be and they are hereby declared to be legal and valid, the same as though he had acted under authority of a proper commission.*

JOHN ROWE,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 55.

AN ACT

Extending the provisions of certain acts of Assembly, relative to selecting Sites for School Houses in Chester and Delaware counties, to Warren and Potter counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act to authorize the school directors of Chester and Delaware counties to select sites for school houses," passed May eight, Anno Domini one thousand*

eight hundred and fifty-four, and the provisions of the supplement thereto, passed the fifth day of April, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to the counties of Warren and Potter.

JOHN ROWE,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 56.

A SUPPLEMENT

To an act in relation to Public Printing, approved the ninth day of April, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the contractor or contractors for the public printing and binding, shall hereafter be allowed for the translation of English matter required to be printed in the German language, the sum of forty cents per thousand ems: *Provided,* That no charge shall be allowed for figures or other matter not actually translated. Compensation of contractor for translating English into German.

SECTION 2. That in addition to the charges allowed for the furnishing of blanks, by the eleventh section of the act to which this is a supplement, there shall hereafter be allowed for down red ruling, five cents per quire of twenty-four sheets. Compensation for down red ruling.

SECTION 3. That it is the intent and meaning of the act to which this is a supplement, that there shall be no charge allowed for composition on any extra documents ordered, unless the composition has been actually performed, of which an affidavit of the public printer shall be required by the auditor general. Compensation for composition on extra documents.

SECTION 4. That on Tuesday, the eighteenth day of March, one thousand eight hundred and sixty-two, and on the fourth Tuesday of January every third year thereafter, the legislature shall meet in joint convention in the hall of the house of representatives, and let the public printing and binding for three years, according to the provisions of this act and the act to which this is a supplement, except that but one week's public notice may be given of the time of the allotment for the year one thousand eight hundred and sixty-two: *Provided,* That the bonds, with the sureties of the several bidders, shall be duly Time for receiving proposals.
Allotment.
Notice.
Bonds to be given with proposals.

Additional condition.

Certificate of court to accompany bonds.

executed, sealed up and delivered, with the proposals for the printing and binding, and in addition to the condition now required by law, shall be conditioned, that in case the bidder or bidders to whom the printing and binding shall be awarded, shall neglect or refuse to accept the same at his or their bid, the said bidder or bidders, with his or their sureties aforesaid, shall be liable to the commonwealth for the difference between the amount of such bid and the amount of the bid of the person to whom the printing and binding shall be awarded after such neglect or refusal: *And provided further*, That said bonds shall be accompanied with the certificate of the president judge of the court of common pleas of the district or districts in which such sureties may reside, or in case of the absence or other inability of such president judge, with the certificate of the associate judges of the county in which such sureties may respectively reside, that said bond and sureties are sufficient to secure the commonwealth to the amount of the penalty thereof, which certificate shall be authority to the speakers to approve said bond.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 57.

AN ACT

Relating to the Cambria Iron Company.

Additional mining and manufacturing privileges granted.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Cambria iron company shall have, enjoy and exercise all the rights and powers necessary for the improvement and development of the lands now belonging to, or which may be acquired by said company, in fee simple, by leasehold, license or otherwise, by mining for coal, iron ore, oil, cement, and all other minerals or products which may be found thereon, and for making from the crude state and manufacturing into any shape or form by mineral coal, coke or charcoal, iron, salt, glass, bricks, and any other article or thing which can be made or manufactured, in whole or in part, from the materials thus found, and for the preparation and conveying the same to market, and to sell and dispose of the property, real and personal,

of said company, and to employ so much of the capital, means and credit of said company in acquiring real and personal estate, and in improving the same in such a way as the said company may deem necessary for mining, manufacturing and other purposes; and generally to have and enjoy all the rights, privileges and powers conferred on incorporated companies for the manufacture of iron, by any act or acts of assembly heretofore passed.

SECTION 2. That the said company shall have the power to purchase and hold, in addition to the lands now held by them, real estate in the county of Blair, not exceeding two thousand acres at any one time; said real estate to be held, used and enjoyed in the way and manner and for the purposes mentioned in the first section of this act.

May purchase additional real estate.

SECTION 3. That the directors of said company shall have the power to select from their number three persons to act as an executive committee in conducting the affairs of said company, and it shall be lawful for the stockholders of said company at any regular meeting, or at a meeting to be held for that purpose, to fix a reasonable compensation to be paid to the members of said executive committee, or any one or more of them, for his or their services in attending to the business of said company.

Directors to select an executive committee.

Compensation of the same.

SECTION 4. That the said company shall have power to create and execute their bonds to the amount of five hundred thousand dollars, bearing interest at the rate of six per cent. per annum, said bonds to mature on or before the first day of January, Anno Domini one thousand eight hundred and seventy-five, and to execute a mortgage on their property, or any part thereof, in Cambria county, in trust, to secure the same, and issue and apply the said bonds at par, in exchange for the bonds of said company dated, October twenty-third, one thousand eight hundred and fifty-three, and maturing January first, one thousand eight hundred and sixty-four, amounting to the sum of five hundred thousand dollars.

Bonds and mortgage, relative to.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 58,

A FURTHER SUPPLEMENT

To the act incorporating the Reading and Columbia Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the president and directors of the Reading and Columbia railroad company to borrow any sum of money not exceeding six hundred and fifty thousand dollars, to be used and applied in the construction, completion and equipment of their railroad from Columbia to Reading, or such other point as pursuant to existing laws shall be fixed as a terminus of their said railroad; and the said president and directors may issue bonds of not less than one hundred dollars each for the amount to be borrowed as aforesaid, bearing interest not exceeding seven per centum per annum; and the said president and directors shall have authority to secure the payment of the said bonds by a mortgage upon their said railroad, and the property, rights and franchises, and the lands, tracks, ties, rails, bridges, ways, buildings, erections, fences, walls, fixtures, privileges, hereditaments, coporeal and incorporeal, and real estate, owned or to be acquired by the said company, in, upon and along the said railroad, and also all the tolls, income, rents, issues and profits to arise and to be had from the same; and all the depots, stations, turn-outs, switches and depots and station buildings, with their appurtenances, and all the locomotive engines, tenders, cars, carriages, wood, coal, fuel, tools and machinery appertaining to the said railroad, owned or to be acquired by the said company, upon all of which the said mortgage shall be a first lien; and the said president and directors shall have authority to set forth in said bonds and mortgage all desirable remedies in law and equity for the collection of the same, and their interest, and such remedies shall be available on breach of the conditions contained in the bonds, and until the said bonds and mortgage shall be fully paid and satisfied, the property and franchises hereby pledged therefor, shall be exempt from levy, sale or sequestration, on any execution or other process upon any judgment or decree.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 59.

A SUPPLEMENT

To an act to provide for the erection of a House for the employment and support of the Poor of Blair county, approved the first day of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That within fifteen days after the passage of this supplement, it shall be the duty of the board of directors of the poor of Blair county, or a majority thereof, to fill any vacancy that may have occurred in said board, either by death, resignation or otherwise, and in case they shall neglect or refuse to fill said vacancy within the time specified, it shall be the duty of the judges of the court of common pleas of said county, or a majority of them, upon satisfactory evidence thereof, to proceed immediately to fill said vacancy by the appointment of a suitable person, who shall serve for the unexpired term of the director whose place shall be so supplied, and until his successor shall be duly elected and qualified, agreeably to the provisions of an act to provide for the erection of a house for the employment and support of the poor of Blair county, approved April first, one thousand eight hundred and forty-eight; and in case any such vacancy shall hereafter occur, it shall be the duty of said directors to supply the same within thirty days thereafter, and in case of their neglect or refusal so to do, the like proceedings shall be had in the said court of common pleas.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 60.

AN ACT

Repealing an act, entitled "An Act authorizing the Court of Common Pleas of Northumberland county to appoint Auditors," approved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly of this commonwealth, entitled "An Act authorizing the court of common pleas of Northumberland county to appoint auditors," approved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven, be and the same is hereby repealed.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 61.

AN ACT

To grant certain rights to the Market Companies in the city of Philadelphia

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several market companies in the city of Philadelphia shall have the same privileges upon the pavements in front of their market buildings, for exhibiting and disposing of produce, as is allowed by the city authorities to owners and tenants of other property for similar purposes.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 62.

AN ACT

To stay proceedings against the sureties of Nicholas B. Snyder, late Treasurer of Somerset.

WHEREAS, Edward Schull, John J. Schell and Cyrus Benford, sureties to the state for Nicholas B. Snyder, late treasurer of Somerset county, have become liable by the defalcation of the said Snyder to pay the commonwealth between four and five thousand dollars:

And whereas, The said Snyder has real estate which will discharge a large portion of said defalcation, if not sacrificed by a forced sale; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all proceedings be stayed against the sureties of the said Nicholas B. Snyder, for the term of two years, from and after the passage of this act: *Provided,* That the said sureties pay interest at the rate of six per cent. per annum on said indebtedness.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 63.

AN ACT

Relating to the Poor House of Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the auditors of Greene county, at their next annual meeting, to audit and settle the accounts of the commissioners appointed by the act of thirteenth April, one thousand eight hundred and fifty-nine, entitled "An Act to provide for the erection of a house for the employment and support

Settlement of accounts of commissioners appointed to provide for the erection of a poor house.

of the poor in the county of Greene;" and it shall be the duty of said commissioners to make out and exhibit to the auditors, at such time, a full and detailed statement of the charges and expenses incurred by them in the purchase of the farm and erection of the necessary buildings, or in any way growing out of or connected with the duties enjoined by said act.

Compensation of directors.

SECTION 2. That the poor house directors required to be elected by said act in the county of Greene, shall each receive the sum of one dollar and fifty cents per day, for every day necessarily employed as directors of the poor house in said county.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 64.

AN ACT

Authorizing the Treasurer and Constables of Greene county to collect certain taxes.

Preamble.

WHEREAS, By the fifteenth section of the act of fifteenth May, one thousand eight hundred and sixty-one, and the sixth section of the act of sixteenth May, one thousand eight hundred and sixty-one, the proper authorities of the several counties of the commonwealth are directed to levy certain taxes for the relief of the families of the volunteers of the commonwealth, and for the payment of the interest upon the loan authorized by the act fifteenth May, one thousand eight hundred and sixty-one:

And whereas, The commissioners of Greene county were unable to levy such taxes for the year one thousand eight hundred and sixty one, and issue warrants for their collection in season to enable the treasurer of Greene county to collect them, or cause them to be collected in accordance with the special law creating him collector of taxes:

And whereas, There is no authority in the said commissioners to issue warrants to the present county treasurer, whose term of office commenced with the year one thousand eight hundred and sixty-two, for the collection of the taxes of a prior year; therefore, to remove such difficulty,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Greene county are hereby authorized to issue their warrants to the present treasurer or collector of said county, for the collection of the taxes already levied by them for the year one thousand eight hundred and sixty-one, under authority of the acts of fifteenth and sixteenth May, one thousand eight hundred and sixty-one, for the relief of the families of volunteers, and for the payment of the interest upon the loan under the act of the fifteenth May, one thousand eight hundred and sixty-one; and the said treasurer or collector is authorized and required to receive the duplicates and warrants and proceed to the collection of said taxes, without regard to the year for which they were levied; and the several constables of said county are also required, if necessary, to receive such duplicates from the treasurer, with full power and authority to collect them as if received by them in the current or proper year.

Commissioners authorized to issue warrants to treasurer for the collection of relief taxes.

Duties of treasurer and constables.

SECTION 2. That it shall be lawful for the board of relief, authorized by the fourteenth section of the act to create a loan, and provide for arming the state, passed the fifteenth of May, one thousand eight hundred and sixty-one, to pay over to the families of volunteers who may be in the service of another state, but who are residents of the county of Greene, the same proportion, and in the same manner and under the restrictions, as they do to the families of volunteers who have volunteered under the call of the governor of this state.

Families of volunteers, residents of Greene county, but in the service of another state, to be paid as others.

SECTION 3. That before the court of quarter sessions of said county shall appoint or qualify constables, they shall be required to give bond in the name of the commonwealth, in such sum, and with such sureties as shall be approved by the said court, conditional for the payment to the proper county treasurer of the full amount of relief tax contained in any warrant and schedule which shall be delivered to them, or any of them, by the county treasurer of said county, after deducting exonerations, within four months from and after the delivery of any such warrant or schedule as aforesaid.

Constables to give bond for collection of relief tax.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

LAWS OF PENNSYLVANIA,

No. 65.

AN ACT

To repeal a certain clause of the ninth section of an act to incorporate the city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of section ninth of the act, entitled "An Act to incorporate the city of Carbondale," approved the fifteenth day of March, one thousand eight hundred and fifty-one, as requires a person to reside three years within the limits of said city before being eligible to the office of district attorney, be and the same is hereby repealed.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 66.

AN ACT

Repealing the law making an Appropriation out of the County Funds to Agricultural Societies, as to the county of Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fourth section of the act of twenty-ninth March, one thousand eight hundred and fifty-one, entitled "An Act to incorporate the Pennsylvania State agricultural society," which provides for the payment of a sum, not exceeding one hundred dollars, out of the county funds, to any agricultural or horticultural society, organized in any of the counties of the common-*

wealth, be and the same is hereby repealed as to the county of Greene.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 67.

AN ACT

Authorizing the county of Clearfield to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of completing her new court house, and of funding the debt contracted in its erection, it shall be lawful for the commissioners of Clearfield county to borrow, on the credit of the county, a sum of money not exceeding eighteen thousand dollars, at a rate of interest not exceeding eight per centum per annum, and to give to the holders thereof transferable bonds therefor, in sums not less than one hundred nor more than one thousand dollars, payable at such times as they may agree upon, not exceeding fifteen years from this date, with coupons attached thereto for the payment of the interest which shall fall due thereon, payable to the bearer thereof half yearly, on the first days of July and January in each year, at her county treasury.

Commissioners
authorized to
borrow money.

Bonds, transfer-
able.

SECTION 2. That the bonds to be so issued shall be signed by a majority of the said commissioners, attested by their clerk and verified by the seal of the county, and the coupons shall be signed by the commissioners and attested by their clerk; the said commissioners shall keep an account, on their books, of the number, date and amount of each of said bonds, and to whom payable, and they may be assigned by endorsement thereon.

To be signed by
commissioners,
&c.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 68.

AN ACT

To incorporate the Oil Creek Transportation Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That L. Halderman, J. A. M'Craight, John Alexander, J. H. Lyday, Samuel Q. Brown, Myron Waters, Wm. D. Brown, G. W. Scofield, John B. Brown, G. H. Bissell, John Dickey, J. M. Adams and J. H. Baker, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Oil Creek transportation company, with all the powers, and subject to all the provisions, so far as the same are applicable, prescribed by an act relating to railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Style.

Subject to.

Capital stock. SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each: *Provided,* That by a vote of the stockholders, the said company may, from time to time increase, at a meeting called for that purpose, the capital stock of said company, so much as in their opinion may be necessary to complete the work the said company are hereinafter authorized to construct.

Privileges. SECTION 3. That said company shall have the right to construct works for the purpose of conveying oil through pipes or tubes from any point on the Oil creek, in the counties of Venango and Crawford, to the mouth of said creek, or to any point on the Philadelphia and Erie railroad, in the counties of Erie, Crawford or Warren, and by such route as in the opinion of the directors of said company shall best conduce to the public interest; and that said company shall also have the right to construct such machinery, as in the opinion of the directors thereof, shall be necessary to effect the purposes hereinbefore named.

May borrow money. SECTION 4. That the president and directors of said company shall have power to borrow money from time to time, in such sums, and at such rate of interest as they may think proper, for the construction of the works aforesaid, and pledge the property of said company for the payment thereof.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 69.

AN ACT

In relation to the Erie and Edinboro' Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Erie and Edinboro' plank road company shall, on or before the fifteenth day of April, one thousand eight hundred and sixty-two, place upon the entire line of said road, between the city of Erie and the borough of Edinboro', a force of men and teams, and provide materials sufficient to put the said plank road in complete repair, according to the provisions of the general plank road laws of this commonwealth, on or before the fifteenth day of July next, thereafter; and if the said president and managers shall neglect or refuse to comply with the provisions of this act, then, and in that case, the charter of said plank road company shall be forfeited; and all and every, the rights, privileges and franchises, granted to said company thereby, shall cease, and be utterly null and void.

President and managers required to repair their road.

Forfeiture of charter in case of neglect to comply.

SECTION 2. That at the expiration of the time fixed by this act for the completion of the repairs on said road, the court of quarter sessions of the county of Erie, upon the petition of any person or persons residing upon the line of said road, shall appoint three disinterested persons, whose duty it shall be forthwith to view the line of said road, and to carefully examine whether the same has been put in complete repair, according to law, and make report thereof to said court at its first meeting thereafter, if said meeting shall not be within ten days after said appointment, and in that case, at the first meeting of said court after the expiration of ten days; and if the said viewers, or a majority of them, shall report that the said company have neglected or refused to put said road in such order as is required by law, then, and in that case, the said court shall have power, and is hereby required to declare the charter of said company forfeited, and all its rights, under and by virtue thereof, shall cease, and be utterly null and void; and the said plank road shall be taken possession of, and managed by the road commissioners of the respective townships through which it passes, in the same manner as other township roads are by them possessed and managed.

Court to appoint viewers.

Report.

Court may declare charter forfeited.

Road commissioners to take control.

SECTION 3. That from and after the passage of this act no tolls shall be collected by said company, for the passage over said road of any property, or vehicle of any kind or nature, until said road is reported to be in complete repair, as required by this act.

When tolls may be taken.

LAWS OF PENNSYLVANIA,

Repeal.

SECTION 4. That all laws inconsistent herewith are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 70.

AN ACT

Relating to Taxes in the borough of Dushore, in the county of Sullivan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the twenty-fifth section of the act, approved April fifteenth, Anno Domini one thousand eight hundred and thirty-four, authorizing the supervisors of any township to levy rates of assessment for road and bridge purposes, and also the provisions of the seventh section of the act of February twenty-eighth, Anno Domini one thousand eight hundred and thirty-five, authorizing the supervisors of any township to levy a rate of assessment, and to collect the same, for the purpose of discharging any just debts, be and the same are hereby extended to the burgess and town council of the borough of Dushore, in the county of Sullivan.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 71.

SUPPLEMENT

To an act, entitled "An Act to lay out a road from Butler, Butler county, to Franklin, Venango county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified for the survey and filing of the drafts in the act, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to lay out a state road from Butler, Butler county, to Franklin, Venango county," be and the same is hereby extended to the first day of October, Anno Domini one thousand eight hundred and sixty-two; and that so much of the said act as relates to the grade, be changed to four degrees on all parts of said road not yet located.

The time for survey and filing drafts extended.

Change of grade on road not located.

SECTION 2. That all the provisions of said act, not inconsistent herewith, be and the same shall remain in full force and virtue, in manner as provided in the aforesaid act.

Provisions of former act, relative to.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 72.

AN ACT

Authorizing the Trustees of the Proprietors' fund of Newport township, in the county of Luzerne, to appropriate said fund towards the purchase of a farm and poor house for the use of said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Romback, John Sleppy and S. P. Vandormark, trustees of the Proprietors' fund of Newport township, in the county of Luzerne, be and they are hereby authorized and required, immediately after the passage of this act, to collect any and all money or moneys remaining unexpended, and belonging to, or

Appropriation authorized.

known as the Proprietors' fund of Newport township, and to pay the same, or such part thereof as may be required on the account of the proportionate share of money agreed to be paid by said township of Newport, as purchase money for a poor house and farm, for the maintenance, support and employment of the poor of Plains, Wilkesbarre, Hanover, Newport and Plymouth townships, in said county, and known as the poor house farm for the central district in said county.

Auditors to settle the accounts of trustees.

SECTION 2. That the auditors of the township are authorized to settle the accounts of the trustees herein mentioned, as soon after said trustees shall have collected and paid over the Proprietors' fund aforesaid, as may be practicable.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 73.

A SUPPLEMENT

To an act, entitled "An Act to authorize the erection of a Poor House by the township of Wilkesbarre, in the county of Luzerne."

The townships of Plains, Hanover, Newport and Plymouth annexed to the poor district of Wilkesbarre tp. Conditions.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the township of Plains, the township of Hanover, the township of Newport and the township of Plymouth, all in the county of Luzerne, be and they are hereby annexed to and made a part of the district, for the support of the poor, named in the act to which this is a supplement: *Provided, That* before the said township of Plains shall be entitled to the privileges of the said act, Jesse Thomas, of said township, who is hereby constituted a director for the poor for said township, shall pay or secure to be paid, to the satisfaction of the directors of the poor of Wilkesbarre township, the sum of one thousand eight hundred dollars, that being the proportionate share for said township of Plains, of money already expended and liabilities incurred by the directors of the poor of Wilkesbarre township, in the purchase of land for a poor house farm and expended in improvements thereon; that before the said township of Hanover shall be entitled to the privileges of the said act, Henry Line, of said township, who is hereby constituted a director for the poor for

said township shall pay or secure to be paid, to the satisfaction of the directors of the poor of Wilkesbarre township, the sum of two thousand and four hundred dollars, that being the proportionate share for said township of Hanover, of money already expended and liabilities incurred by the directors of the poor of Wilkesbarre township, in the purchase of land for a poor house farm, and expended in improvements thereon; that before the said township of Newport shall be entitled to the privileges of the said act, Daniel Rombach, of said township, who is hereby constituted a director for the poor for said township, shall pay, or secure to be paid, to the satisfaction of the directors of the poor of Wilkesbarre township, the sum of one thousand and eight hundred dollars, that being the proportionate share for said township of Newport, of money already expended, and liabilities incurred by the directors of the poor of Wilkesbarre township, in the purchase of land for a poor house farm, and expended in improvements thereon; that before the said township of Plymouth shall be entitled to the privileges of the said act, J. F. Reynolds, of said township, who is hereby constituted a director for the poor for said township, shall pay, or secure to be paid, to the satisfaction of the directors of the poor of Wilkesbarre township, the sum of two thousand and four hundred dollars, that being the proportionate share for said township of Plymouth, of money already expended, and liabilities incurred by the directors of the poor of Wilkesbarre township, in the purchase of land for a poor house farm, and expended in improvements thereon; when the aforesaid amounts, or sums of money so to be paid by the aforesaid townships, or by either of them, shall be paid, or secured to be paid, such townships, or any one of them so complying and conforming with this act, shall be entitled to all the immunities and privileges enjoyed by the present corporation, as named in the said recited act, and this supplement thereto; and the directors of the poor of the townships of Plains, Hanover, Newport and Plymouth, named in this act, or their successors, shall have full power and authority to make the necessary agreements or arrangements with the directors of the poor of Wilkesbarre township, for the payment of the proportionate shares of their several townships, and to borrow money for the payment of the same, in the name, and for the use of their said townships; and the said directors, or their successors, of each of said townships aforesaid, shall be and are hereby authorized and empowered, within their several townships, to assess, levy and collect a special tax or taxes, to be levied of persons and property, subjects and things, taxable for county purposes, upon the basis of the last assessed valuation of property for county rates made for the county of Luzerne, in said townships, which said special tax or taxes may be levied and assessed, at one or more times, in an amount or amounts sufficient to meet the liabilities of each township, to the directors of the poor of Wilkesbarre township aforesaid, or to refund any loan which may have been made as aforesaid; for the purpose of collecting the special tax or taxes as aforesaid in said townships, a collector shall be appointed by the director of each township, who shall give security for the collection and payment of the money to the directors of the

Powers of the directors of the poor constituted by this act.

May borrow money and assess special taxes.

Collectors, appointment of, &c.

poor for Wilkesbarre township, in such sums, and at such times, as may meet the liabilities of the townships to said directors; the collectors shall have the same power for collecting said special tax or taxes, and be liable to the same penalties for failure to collect, pay over and settle their accounts, as collectors of county rates or levies are now subject to in the county of Luzerne.

Official terms of
the directors
named in this
act.

SECTION 2. That the term of office of William Hibler, a director of the poor of Wilkesbarre township, shall be extended to the second Tuesday in January, Anno Domini one thousand eight hundred and sixty-seven; that the term of office of Jesse Thomas, of Plains township, who is hereby constituted a director of the poor, to take effect on the compliance of said township with the provisions of this act, shall be continued to the second Tuesday in January, one thousand eight hundred and sixty-six; that the term of office of Henry Line, of Hanover township, who is hereby constituted a director of the poor, to take effect on the compliance of said township with the provisions of this act, shall be continued to the second Tuesday in January, one thousand eight hundred and sixty-five; that the term of office of Daniel Romback, of Newport township, who is hereby constituted a director of the poor, to take effect on the compliance of said township with the provisions of this act, shall be continued to the second Tuesday in January, one thousand eight hundred and sixty-four; that the term of office of J. F. Reynolds, of Plymouth township, who is hereby constituted a director of the poor, to take effect on the compliance of said township with the provisions of this act, shall be continued to the second Tuesday in January, one thousand eight hundred and sixty-three; that the said William Hibler, Jesse Thomas, Henry Line, Daniel Romback and J. F. Reynolds, the townships of Plains, Hanover, Newport and Plymouth, complying with the provisions of this act, or their successors, shall constitute the board of directors of the poor for the district composed of the townships of Wilkesbarre, Plains, Hanover, Newport and Plymouth, subject to the provisions of this act, and the act to which this is a supplement, or so much of the same as is not hereby supplied or repealed: *Provided however*, That the term of office of the directors of the poor of Wilkesbarre township shall be extended for three years, from the first day of March, one thousand eight hundred and sixty-two, and that they shall continue to exercise and discharge the duties of their office until the directors of the poor, named in this section, shall be sworn into office and enter upon the discharge of their duties; that from that time, the said directors named in the act to which this is a supplement, shall cease, as such, to exercise the duties of directors of the poor, for providing for the maintenance and support of the poor, but shall have full power and authority, as a board of real estate and finance, to receive the title of any real estate contracted for by them as directors aforesaid, and as such directors, to take the same in trust for the directors of the poor of the district aforesaid; to execute any necessary bonds, judgments or mortgages, to secure the payment of any purchase money due, or that may become due therefor; to receive the proportionate shares of money stipulated

Powers and duties of the present directors of Wilkesbarre township.

to be paid by the several townships named herein, and to give receipts therefor as directors of the poor for the township of Wilkesbarre; and further, they shall have power and authority to assess, levy and collect any special tax or taxes, which may be necessary to be levied or collected in the township of Wilkesbarre, to make up the proportionate share of said township of purchase money for said poor house farm, and to assess, levy and collect the special taxes necessary to be collected in the townships named in this act, on the failure of the directors of the poor of any of said townships to assess, levy and collect the same; that within the time named as the termination of the office of the directors named in the act to which this is a supplement, the directors or board of real estate aforesaid shall deliver to the board of directors of the poor of the district aforesaid, all titles and title papers, together with any balance of money which may remain in their hands unexpended, from which date the office of the board of directors of real estate aforesaid shall cease.

SECTION 3. That after the passage of this act, and after it shall have been accepted by the directors of the poor named in the act to which this is a supplement, the style and title of the corporation created by the act to which this is a supplement, shall be the Directors of the Poor of the Central district, in the county of Luzerne; and the said directors and their successors in office shall have perpetual succession, by the name, style and title aforesaid, and by that name may sue and be sued, plead and be impleaded, receive, take and hold any lands, tenements or hereditaments, not exceeding the yearly value of ten thousand dollars, to erect and keep in proper condition suitable buildings for the reception and accommodation and employment of the poor of said district, and to provide all things necessary for the lodging, maintenance and employment of the poor of said district.

Title of the corporation.
Privileges.

SECTION 4. That the said directors, any three of whom shall constitute a quorum for the transaction of business, shall have power annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate or assessment, not exceeding one cent on the dollar at one time, upon all real and personal estate, persons, subjects and things taxable for county purposes within the district aforesaid, for defraying the expenses of said poor house farm, erecting buildings, and maintaining and employing the poor of said district, which shall be the same rate per centum in all of said townships composing said district, and shall be levied upon the basis of the last adjusted valuation, made for regulating county rates and levies, which said mode of assessment and levy shall not be changed hereafter, except by the consent of the majority of the tax payers in each of the townships embraced in this act; and the said directors shall have and exercise the same power and authority to appoint collectors of such taxes, prepare duplicates, issue precepts, require securities, grant exonerations, and settle and adjust the duplicates of such taxes, and to do all other things necessary in and about the levying and collection of the same, as the commissioners of the said county now by law have for the levying and collecting of county taxes; and the said

Assessment and collection of poor taxes.

Directors to discharge the duties of overseers. directors shall, in all matters relating to the poor, exercise and perform all the powers and duties in said district which overseers of the poor may and are required to perform within the townships composing said district, except so far as such acts, duties and powers are prescribed by this act, and the act to which this is a supplement.

Duties of collectors.

SECTION 5. That the collectors of such taxes, from time to time appointed by the said directors, shall, within the time prescribed by law for the collection of county taxes, and the settlement of the duplicates of the same, collect the said poor taxes, and pay the same over to the treasurer of the said directors, and settle the duplicates of the same with the said directors; and the said collectors shall have the same powers and authority as collectors of county taxes now have, to enforce the payment of such taxes, and shall be subject to the same penalties for neglect to collect and pay over or account for, according to law, the whole amount of the taxes charged and assessed in the duplicates delivered to such collector: *Provided*, That before any duplicate of such taxes shall be delivered to any such collector, he shall execute and deliver to the said directors a bond, in such amount, and with such sureties as the said directors shall approve, with like conditions as bonds now by law required to be executed and delivered to the county commissioners by collectors of county taxes.

Bond to be given.

Orders for relief of poor, relative to.

SECTION 6. That all orders issued for the relief of any poor person or persons within said district, shall be directed to the directors of the poor of the Central district, in the county of Luzerne, and upon receipt of such order, said directors, or any of them, shall immediately proceed to inquire into the circumstances, and if the person or persons therein named are proved by him or them entitled to relief, he or they shall furnish such relief, or cause such person or persons to be removed and taken to said poor house, and there kept and maintained until legally discharged; any one of said directors shall have authority to direct a poor person to be admitted into said poor house, but no person shall be discharged therefrom, unless at his or her own request, except by direction of at least three of said directors.

Directors to appoint officers.

SECTION 7. That the said directors shall appoint, in the month of January in each year, a treasurer and other officers, provided for by the fourth section of the act to which this is a supplement, according to the provisions of said section.

Orders to be signed by three directors.

SECTION 8. That no money shall be paid by the treasurer, except upon orders drawn by the directors, and signed by at least three of said directors.

Meetings of directors.

SECTION 9. That the directors shall meet as often as once in each and every month for the transaction of business; that they shall have authority to fix the pay of their treasurer, collectors, steward, matron, physician, or any other persons employed by them; that they shall receive for their own services one dollar and fifty cents each, for each day necessarily employed in attending the meetings of the board of directors: *Provided*, That no director shall, in any one year receive an amount for such services exceeding twenty-five dollars, but that the auditors

Compensation.

Proviso.

may allow an equitable compensation to any such directors, for time necessarily spent in attending to the duties of his office, in the township represented by him in the board of directors; any director may be removed from office by the court of quarter sessions of Luzerne county, for neglect of duty, incompetency, inefficiency or other causes, in the opinion of the court rendering said director unfit to discharge the duties of the office, on petition to said court by at least thirty taxable inhabitants, resident in the township where said director may reside; but no director shall be thus removed, until he shall have received at least ten days' notice of such application for his removal.

Court may remove directors.

SECTION 10. That the term of office of the present overseers of the poor for the townships of Plains, Hanover, Newport and Plymouth, be and the same is hereby extended until the second Tuesday in April, in the year one thousand eight hundred and sixty-three: *Provided*, That on receiving notice from the directors of the poor of the townships named in this act, he or they shall furnish a list of the poor of said townships to said directors, and cease to further discharge the duties of overseers of the poor in regard to the support and maintenance of the poor; and that within thirty days thereafter, said overseers shall settle their accounts with the auditors of their respective townships, and pay over to the directors of the poor of the townships any balance of money in his or their hands: *Provided however*, That such overseers, before paying any money to the director aforesaid, shall settle and pay, and if for this purpose necessary, assess, levy and collect such poor tax or taxes, to provide means to pay all debts, claims and demands, legally adjusted and ascertained, which may be due from, and owing for or on account of the poor, or for or account of any matter or thing appertaining to the maintenance and support of the poor of said township; the court of quarter sessions of the county of Luzerne may, on application, extend the term of office of said overseers, or appoint successors, in order that all matters and things relating to the expenses of the poor heretofore, may be settled, and said court may take such order as is deemed necessary in the matter.

Official term of overseers of the poor.

Their duties.

Court may extend their term of office.

SECTION 11. That any vacancy in the board of directors of the poor for said Central district, shall be filled by the court of quarter sessions, in and for the county of Luzerne, if for an unexpired term, at the next sessions of the court after the vacancy occurs; if for a full term of five years, then at the January sessions in each year; so appointing, that no two directors shall at any one time be a resident of the same township; taxpayers of good repute, residents of the township in which the vacancy occurs, shall alone be competent to hold the office of director.

Vacancies in board of directors.

Qualifications.

SECTION 12. That the senior auditors of the several townships in said district, or a majority of them, shall constitute a board of auditors to settle the accounts of the directors, and which auditors shall meet at the court house in the borough of Wilkes-Barre for that purpose, on the second Monday of January in each year, and shall receive for their services, each one dollar per day for every day necessarily employed.

Board of auditors.

Directors may annex other townships or boroughs to the district formed by this act.

Mode of valuation.

Proviso.

Repeal.

SECTION 13. That at any time hereafter the directors of the poor of said Central district may, on the application of a majority of the tax-payers of any township or borough in Luzerne county, contiguous to either of the townships in said district, and for a fair and equitable proportion paid to the said directors, for the use of the townships herein named, annex said township or townships, borough or boroughs, thus applying, to the Central district aforesaid, for the purposes embraced in this act, and the act to which this is a supplement: *Provided*, That the only mode of valuation, assessment and levy of any proportion or tax, shall be based upon the valuation made for county rates and levies: *And provided*, That the township or borough shall not have at any one time more than one director for the poor.

SECTION 14. That all acts of assembly, or parts of acts, hereby supplied or inconsistent with this act, and the act to which this is a supplement, are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 74.

AN ACT

Confirming the title to certain real estate conveyed by John Leibert, executor of Benjamin Sharpnack, to Henry Fricke.

WHEREAS, John Leibert, executor of the last will and testament of Benjamin Sharpnack, deceased, by indenture bearing date March tenth, one thousand eight hundred and forty-nine, recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in deed book A W M, number eighty-six, page three hundred and twenty-seven, et cetera, did grant and convey unto Henry Fricke, his heirs and assigns, a certain messuage or tenement, and tract or piece of land, situate in that part of the city of Philadelphia lately known as Germantown, on the north-easterly side of the Main street, beginning at a corner of Michael Billmeyer's land; thence along the side of the said street north-westwardly seventeen perches ten feet to a corner of a lot now or late of the Dunker society; thence by the last mentioned lot the four next following courses, viz: North seventy-four degrees east twenty-nine feet; thence north fifteen degrees west six feet nine inches; thence north-

east thirty-seven perches nine feet to a corner stone; thence north-west four and a-half perches to a corner stone; thence by land of Benjamin Lehman, north-east ten perches twelve feet to a corner; thence by Jacob Horter's land the four next following courses, viz: South-east one-half perch eight feet three inches to a corner; thence north-east fifteen perches one foot to a corner; thence south-east six perches to a corner; thence north-east sixty-two perches three feet six inches to the south-west side of Division street; thence with the same south-east twelve perches and eleven feet to a corner of the aforesaid Michael Billmeyer's land; thence along the line of the same south-west one hundred and thirty-six and one-half perches to the place of beginning; containing twelve acres and two perches of land, parts and parcels of which said premises the said Henry Fricke subsequently sold and conveyed unto divers persons: .

And whereas, Doubts have arisen as to the power and authority of the said John Leibert, under the aforesaid will, so to execute a deed for the above described premises, thereby drawing in question the validity of the title of the said Henry Fricke to the same, and unsettling the many titles which have been derived under him; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title of the said Henry Fricke, and of all and of every person or persons claiming or to claim under him, by purchase, devise, descent or otherwise, to the said premises in the said recited indenture described, together with the appurtenances, be and the same is hereby confirmed and made valid; and the title to the same is vested in the said Henry Fricke, and his grantees, in fee simple, as fully and absolutely, and to the same extent and effect, as if the said John Leibert did possess full power and authority to sell the said premises in fee, and to execute a good and sufficient deed for the same under the aforesaid will of Benjamin Sharpnack, deceased.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 75.

AN ACT

To incorporate the Clearfield Creek Bridge Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James I. Lenard, James B. Graham, James Wrigley, William Porter, Edmund Williams, Ellis Irvin and S. B. Row, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Clearfield Creek bridge company, with power to construct a bridge across the Clearfield creek where the Snow Shoe and Packersville turnpike road crosses the same, in Lawrence township, Clearfield county, subject to all the provisions and restrictions, and with all the privileges of an act, entitled "An Act regulating turnpike, bridge and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Style.

Location of bridge.

Subject to.

Capital stock. SECTION 2. The capital stock of said company shall consist of one hundred shares of twenty dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders called for that purpose, increase their capital stock to such an amount as shall be sufficient to carry out the true intent of this act.

When tolls may be taken. SECTION 3. That as soon as said bridge is so far completed as to be passable with teams and so forth, said company is hereby authorized to erect a gate, and to demand and receive the same amount of toll as is authorized to be taken at the bridge across the Susquehanna river, at the borough of Clearfield.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 76.

SUPPLEMENT

To an act, entitled "An Act to incorporate the German Reformed Congregation of the borough of Shippensburg and vicinity, approved fifteenth of April, one thousand eight hundred and fifty."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the consistory shall be composed of the pastor for the time being, and not less than three elders and three deacons respectively, a majority of whom shall be a quorum, of which the pastor shall be the president, and who shall choose from among their number a secretary. The first election of elders and deacons under this act, shall be held at the same time as the first election of trustees, and one-third of each, respectively, shall be elected to serve one year, one-third more of each to serve two years, and one-third more of each to serve three years; the term of service, respectively, shall be designated by the electors on their ballots, and on the expiration of their several terms their places, respectively, shall be supplied at the annual election, to be held on the first day of January in every year, except when it occurs on the Sabbath, and then on the succeeding day, or at such time as the consistory may designate: *Provided*, That in case of vacancy by death or otherwise among the elders or deacons, the remaining members of the consistory may supply the vacancy for the unexpired term, from among the members of the congregation duly qualified: *And provided also*, That no one shall be elected an elder or deacon who is not a member of the German Reformed church, by confirmation or certificate, and who is not in good and regular standing at the time, and himself qualified to vote, according to the sixth section of the act to which this is a supplement. Consistory, how composed.
Election of officers.
Vacancies.

SECTION 2. That the said congregation shall be permitted to hold an election for elders and deacons in the interim, after the passage of this act, to serve until their successors are duly elected, in accordance with the provisions of this supplement. Certain election authorised.

SECTION 3. That all parts of the act to which this is a supplement, inconsistent herewith, be and the same are hereby repealed. Repeal.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 77.

AN ACT

Relative to the appointment of a Mercantile Appraiser for Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the mercantile appraiser for the county of Northampton shall be appointed by the court of common pleas of said county, and all laws authorizing the commissioners to make such appointment, be and the same are hereby repealed so far as relates to the said county of Northampton.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 78.

AN ACT

To lay out a State Road in Union and Lycoming counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Abraham Straub, of Northumberland county, Thomas Fowler, of Lycoming county, and Paul Geddes, of Union county, be and are hereby appointed commissioners to view, lay out and mark a state road, leading from the north end of Uniontown, in Union county, to Montgomery station, in Lycoming county.

Commissioners.

Route.

Duties.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground on the route agreed upon by them, for the road aforesaid, in such manner as to enable the supervi-

sors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers, at a per diem allowance not exceeding one dollar and fifty cents each, and one axeman, at a per diem allowance not exceeding one dollar and fifty cents; and the said commissioners, respectively, shall receive a per diem allowance not exceeding two dollars, for each day necessarily employed in the discharge of their duties enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided*, That if Abraham Straub perform the duties of surveyor, he shall receive an additional compensation of one dollar per day.

Compensation of commissioners, &c.

How to be paid.

Proviso.

SECTION 3. That it shall be the duty of the commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions in the respective counties of Union and Lycoming, on or before the first day of June next, and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and be made and repaired as all other roads, laid out by the courts, are made and repaired.

Drafts.

Width.

SECTION 4. That the commissioners shall proceed, as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death or resignation, or otherwise, the same shall be supplied by the remaining commissioners selecting suitable persons to constitute a board of at least three members.

Vacancies.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road may pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions of said counties of Union and Lycoming, or either of them.

Duties of supervisors.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

LAWS OF PENNSYLVANIA,

No. 79.

A N A C T

Relative to certain Collectors of Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Butler county be and they are hereby authorized to exonerate the several tax collectors of said county, for uncollectable tax, as fully and with the same effect as though the same had been done within the time now specified by existing law: Provided, The same be presented by the said collectors within thirty days after the passage of this act.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 80.

A N A C T

Relative to the payment of Military Orders.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That nothing contained in the last proviso of the twenty-eight section of the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," shall be construed to prevent the payment, by the proper authorities, of any military orders legally issued before the passage of said act, but the same*

shall be paid out of the military fund, according to the then existing laws.

JOHN ROWE,
Speaker of the House of Representatives.
LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 81.

AN ACT

To repeal an act, entitled "An Act to extend the provisions of an act for the protection of Sheep and taxing of Dogs in the county of Blair, to the county of Cambria."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to extend the provisions of an act for the protection of sheep and taxing of dogs in the county of Blair, to the county of Cambria," approved the first day of May, one thousand eight hundred and sixty-one, be and the same is hereby repealed.*

JOHN ROWE,
Speaker of the House of Representatives.
LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 82.

AN ACT

To incorporate the Madera and New Washington Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.	J. M. Cummings, Russell M'Murray, Charles S. Worrell, Robert Patterson, Henry Swann, Robert Johnson, Samuel Shoff, Samuel Hegarty, William B. Alexander and Charles J. Pusey, of Clearfield county, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Madera and New Washington turnpike and plank road company, with power to construct a turnpike or plank road, or either, or partly plank and partly turnpike, from Madera to New Washington, in Burnside township, Clearfield county, by the nearest and best route, as may be agreed upon by the directors of the said company, subject to the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.
Title.	
Route.	
Subject to.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of eighteen thousand dollars, in shares of twenty dollars each: <i>Provided</i> , That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock, if it be deemed necessary for the completion of the road, to an amount not exceeding thirty-five thousand dollars.
Authorized to borrow money.	SECTION 3. That the president and directors of said company are hereby authorized to borrow an amount of money, not exceeding fifteen thousand dollars, on such terms and security as they may agree upon with the lender or lenders thereof: <i>Provided</i> , That such money should be required to complete the road, and such loan be sanctioned by a majority of the stockholders; no bond to be issued for less than fifty dollars, nor the interest thereon in any case to exceed ten per centum.
Proviso.	
May use public roads or bridges.	SECTION 4. That the said company shall have the right to use any public road or bridge, on the line of the route of this road, whenever found necessary by said company to do so; and it shall be the duty of the court of quarter sessions of Clearfield county to appoint viewers, to view and vacate such parts of any public road as shall be used and rendered useless by said company, as is provided by the general road laws of this commonwealth, in cases of roads which have become vacant and useless.
Appointment of viewers.	

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 83.

A SUPPLEMENT

To an act relating to the Commencement of Actions.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the words, "into an adjoining county," in the thirty-seventh section of the act of the thirteenth June, Anno Domini one thousand eight hundred and thirty-six, entitled "An Act relating to the commencement of actions," be and the same are hereby repealed, and the remedy provided by the said section, be and the same is hereby extended, so as to authorize the sheriff of the proper county, or his deputy, to serve the process in any other county, although such other county may not be adjoining to the county in which the lands lie: *Provided however, That* the said recited section of the act of thirteenth June, one thousand eight hundred and thirty-six, shall not be construed to extend to any other than local actions.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 84.

AN ACT

To confirm the Revised Grades and Survey Regulations, as per plan number forty-four, in the Eleventh Survey District in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the plan number forty-four, now on file in the office of the department of surveys of the city of Philadelphia, being a plan of a certain survey confirmed of revision of survey and grades at Margaret and Filbert streets, and streets adjacent thereto, in the Twenty-fourth ward of the said city, as ordered by councils of the city of Philadelphia,

and approved by the board of surveyors of the said city, March twenty-fifth, one thousand eight hundred and sixty-one, be and the same is hereby confirmed, and all the streets, street lines, heights and grades marked thereon established.

Repeal.

SECTION 2. That any law, or part of any law heretofore passed, that is inconsistent with the foregoing section, be and the same is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 85.

AN ACT

To erect a Poor House for Texas township and the borough of Honesdale, in Wayne county.

Commissioners.

Their duties and powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Winters and Thomas E. Grier, of the township of Texas, in the county of Wayne, and Richard L. Seely and Zenos H. Russell, of the borough of Honesdale, in said county, be and are hereby appointed commissioners, whose duty it shall be, or a quorum of them, which quorum shall be two of said commissioners, as soon after the passage of this act as practicable, to determine upon and, with the assent of the court of quarter sessions of said Wayne county, purchase such real estate as may be necessary and proper for the accommodation of the poor of said township and borough; and it shall be lawful for said commissioners, or a quorum of them, to take and receive proper conveyances therefor in the name and for the use of the corporation mentioned in the second section of this act, and upon the receipt of such conveyance or conveyances, to execute, in the name of said corporation, and deliver to the grantor or grantors bonds or mortgages upon said real estate, to secure the payment of so much of the purchase money thereof as shall then remain unpaid; and it shall also be lawful for said commissioners, or a quorum of them, to erect thereon suitable buildings for the accommodation and keeping of the poor of said township and borough, and to alter, improve or repair such buildings as may be on such real estate at the time of the purchase of the

same; and they, or a quorum of them, are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding six thousand dollars, to be used in the payment of the expense of purchasing said real estate, and erecting, altering, improving or repairing said buildings, and to secure the payment of the same by bonds and mortgages on said real estate: *Provided*, That the land so as aforesaid to be purchased, shall not exceed two hundred acres, and shall be situated within six miles of said borough of Honesdale: *Provided also*, That the cost of said real estate, together with the cost of erecting buildings thereon, or of altering, improving or repairing such buildings, as may be on said land at the time of the purchase of the same, and the costs of stocking said farm, and of furnishing said buildings, with all things necessary for the reception and use of said poor, shall not altogether exceed the sum of six thousand dollars.

Amount of land to be purchased.

Cost.

SECTION 2. That the said Henry Winters, Thomas E. Grier, Richard L. Seely and Zenos H. Russell, are hereby constituted directors of the poor of the township and borough aforesaid, until their successors are duly appointed and qualified, as hereinafter provided; and they, or a quorum of them, and their successors in office, are hereby created a body politic and corporate in law to all intents and purposes whatsoever, relating to the poor of said township and borough, and shall have perpetual succession, by the name, style and title of the Directors of the Poor of Texas township and the borough of Honesdale, and by that name may sue and be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars, and shall erect and keep in proper condition suitable buildings for the reception, use, accommodation and employment of said poor, and shall purchase or provide all things necessary for the lodging, maintenance and employment of said poor.

Incorporation.

Title.

Privileges.

SECTION 3. That the said Henry Winters, Thomas E. Grier, Richard L. Seely and Zenos H. Russell, shall continue in office until the second Monday of January, Anno Domini one thousand eight hundred and sixty-three, and until their successors are duly qualified; and it is hereby declared to be the duty of the court of quarter sessions of Wayne county, on the first Monday of December, in the year one thousand eight hundred and sixty-two, to appoint out of the freeholders of said township and borough, three persons, to be the directors of the poor of Texas township and the borough of Honesdale, one person to serve for one year, one for two years, and one for three years, and until their successors are duly qualified; and yearly thereafter, said court shall appoint one of said freeholders, to serve as director as aforesaid for three years, and until his successor shall be duly qualified; the directors so as aforesaid to be appointed, shall enter upon the duties of their office on the second Monday of January in each year, and before so doing, and on or before said day, each of said directors shall make an oath or affirmation, which shall be filed in the office of the clerk of said court of quarter sessions, and which said clerk, or any justice of the peace of the county of Wayne, is hereby authorized to administer, that he will discharge the duties of his office as a

Court to appoint directors.

Classification.

Oath.

Penalty for refusing to act.	director of the poor of the township of Texas and the borough of Honesdale, faithfully and impartially; and the persons named as directors in this act, are hereby required to take and file such oath or affirmation, within one month after the passage of this act; and in case of neglect or refusal on the part of any person
Provide.	named in this act as a director, or of any person appointed as director as aforesaid, to take such oath or affirmation, within the time or times aforesaid, such person shall forfeit and pay the sum of twenty dollars, for the use of the poor of said township and borough, which fines shall be recovered by the directors for the time being, as debts are or shall be by law recoverable: <i>Provided</i> , That no person shall be compelled serving as such director for a longer period than three years, in any one period of nine years; said court shall have power at any time to remove any
Court may remove upon petition.	director, for gross neglect of duty or other misconduct, upon the petition of twenty of the taxable inhabitants of said township or borough, upon a hearing of the complaint, after reasonable notice to the director complained of; and in case of any vacancy in said office of director, by removal, resignation or otherwise, such vacancy shall be filled by said court, and the person or persons appointed to fill such vacancy, shall, within three days after notice of such appointment, take and file the oath or affirmation aforesaid, and upon neglect or refusal so
Vacancies, how filled.	to do, shall be subjected to the penalty aforesaid: <i>Provided</i> , That in making any appointment of director, as is provided in this section, said court shall so make the same, that at all times one at least of said directors shall be a resident of said township, and one at least a resident of said borough: <i>And provided further</i> , That if any person appointed as a director as aforesaid, shall remove out of said township and borough, such
Residence of directors, relative to.	person shall cease to be a director; any director after being qualified as aforesaid, is hereby authorized to administer an oath or affirmation in any case where it shall be necessary, in relation to the duties of his office.
Provide.	SECTION 4. That the persons named in this act as directors of the poor, or a quorum of them, shall, as soon as they think proper after the passage of this act, appoint a treasurer, steward or manager of said poor house, a collector of taxes, and such other assistants as they may deem necessary, who shall serve for one year, and until successors are appointed and qualified, unless sooner removed by said directors; and on the second Monday in the month of January, one thousand eight hundred and sixty-three, and on the second Monday in the month of January in each year thereafter, the persons who shall at such times be directors, or a quorum of them, shall appoint a treasurer, a collector of poor taxes, a steward or manager of such poor house, a physician, and such other assistants as they may deem necessary, to serve for one year, and until their successors are appointed and qualified, unless sooner removed by said directors;
Authorized to administer oaths	any such collector, before entering upon the duties of his office, shall give bonds to said corporation with sufficient security, to be approved by said directors or a quorum of them, and in such sum as said directors shall require, conditioned for the faithful performance of his duties; and any such treasurer, before entering upon the duties of his office, shall give bond to said corpora-
Treasurer, steward, collector of taxes, physician, &c.	
Bonds to be given by collector and treasurer.	

tion, with sufficient security, to be approved by said directors or a quorum of them, and in such sum as said directors may direct, conditioned for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and delivery over to his successor in office of all moneys, bonds, notes, book accounts, papers, books and documents to the said corporation belonging, which shall then be remaining in his hands; any of said officers or assistants so as aforesaid appointed by said directors, may be removed by said directors whenever they may see fit, and the vacancies occasioned by such removal, or by the death or resignation of any of such officers or assistants, shall be filled by said directors; said directors are hereby empowered to bind out as apprentices, such poor children as may now be bound apprentices by the overseers of the poor: *Provided*, That such apprenticeship shall expire in the case of males, at or before the age of twenty-one years, and in the case of females, at or before the age of eighteen years: *And provided further*, That no child shall be bound at a greater distance than thirty miles from the poor house; and every child bound as aforesaid, shall have not less than three months schooling in each and every year; and said directors shall exercise and enjoy all other powers now vested in the overseers of the poor, as are not herein granted or supplied, and they are hereby empowered to use one common seal in all business relating to said corporation, and at their pleasure may alter and renew the same.

Vacancies.

Apprentices.

Proviso.

Proviso.

To exercise powers of overseers.

Seal.

SECTION 5. That said directors, any two of whom shall constitute a quorum for the transaction of any business, shall have power, annually, and before the first day of April in each year, to lay a rate, not exceeding ten mills on the dollar at any one time, upon all real and personal estate, property or things in said township and borough, now subject to taxation for poor purposes, for defraying the expenses of purchasing said farm, and erecting said buildings, or preparing buildings for the accommodation of said poor, and stocking said farm, and furnishing said buildings with all things necessary; until such expense shall have all been paid, said rate shall be the same rate per centum in said township and borough, and shall be levied upon the basis of the then last adjusted valuation made for regulating county rates and levies; and having caused a fair duplicate of such rate, by them laid, to be made, which shall be signed by them or a quorum of them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand and receive, and collect from every person therein named, the sum wherewith such person stands charged, in the same manner and by the same process as poor taxes are now by law collectable: *Provided*, That the tax hereby authorized to be laid, levied and collected, shall not in any one year exceed in amount the one-sixth part of the sum expended, or indebtedness incurred in purchasing said real estate or farm, and erecting said buildings, or preparing buildings for the accommodation of said poor, and stocking said farm, and furnishing said buildings with all things necessary as aforesaid.

Authorized to levy tax for poor purposes.

Proviso.

SECTION 6. That said directors shall, annually, and before the first day of April in each year, make an estimate of the probable expense of supporting and maintaining the poor of said town-

Annual estimates of expenses to be made.

Rate of taxation,
&c.

ship and borough for the ensuing year, and also an estimate of the probable cost of improving said farm, keeping said buildings in repair, and of insuring the property belonging to said corporation for the ensuing year, and shall annually, and before the first day of April in each year, lay a rate sufficiently large to raise the sum required for the support and maintenance of said poor, and for the improving of said farm, repair of said buildings, and insurance of said property, for such ensuing year, upon all real and personal estate, property or things in said township and borough, now subject to taxation for poor purposes; said rate shall be the same rate per centum in said township and borough, and shall be laid upon the basis of the then last adjusted valuation made for regulating county rates and levies; and having caused a fair duplicate of such rate, by them laid, to be made, which shall be signed by them, or a quorum of them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand and receive, and collect from every person therein named, the sum wherewith such person stands charged, in the same manner and by the same process as poor taxes are now by law collectable.

Debts contracted
by overseers of
the poor of
Honesdale and
Texas townships,
how to be paid.

SECTION 7. That the said directors shall, if the same be necessary, annually, and before the first day of April in each year, lay a rate, not exceeding five mills on the dollar at any one time, upon all real and personal estate, property or things in said borough of Honesdale, now subject to taxation for poor purposes, for the purpose of paying any debt which shall have been contracted by the overseers of the poor of said borough, for poor purposes; and the sum raised by such tax from said borough, shall be applied by said directors to the payment of such debts of said borough, and to no other purpose; and said directors shall, at the same time or times, if the same be necessary, lay a rate, not exceeding five mills on the dollar at any one time, upon all real and personal estate, property or thing in said township of Texas, now subject to taxation for poor purposes, for the purpose of paying any debt which shall have been contracted by the overseers of the poor of said township for poor purposes, and the sum raised by such tax, from said township, shall be applied to the payment of such debts of said township, by said directors, and to no other purpose; such rates shall be levied upon the basis of the then last adjusted valuation made for regulating county rates and levies; and having caused a fair duplicate of such rate for said borough to be made, and also a like duplicate for said township to be made, said directors, or a quorum, shall sign the same, and shall issue their warrant for the collection of such rate for said borough; and also a warrant for the collection of such rate, for said township, to the collectors of such taxes, therein authorizing and requiring him to demand, receive and collect from every person therein named, the sum wherewith such person stands charged, in manner and by the same process as poor taxes are now by law collectable.

Certificate to be
filed by directors

SECTION 8. That said directors shall, or a quorum of them, as soon as they shall have provided suitable buildings for the accommodation of said poor, file in the office of the clerk of the court of quarter sessions of Wayne county, a certificate, setting

forth that such buildings are ready for the reception of said poor; said certificate shall also contain a statement of the real estate purchased, together with a description of the buildings thereon, and the price paid or agreed to be paid for said real estate, together with the terms and times of payment, and the costs of erecting and fitting up said buildings; and said directors shall, thereupon, give notice to the overseers of the poor of said township and borough, of their readiness to receive and accommodate the poor thereof; and said overseers are required, immediately thereafter, to furnish said directors with the names of persons who are a charge upon said township and borough, respectively, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor person, or such of them as they shall think expedient, to be removed to the building so as aforesaid provided, and thereafter to be kept, lodged and maintained therein, so long as such person shall continue a charge upon said township or borough; and no person who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief or support from said directors, or from said township or borough during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance and relief to any poor person, without requiring such person to be removed to and kept in said poor house.

Notice to overseers.

Their duties.

Provide.

SECTION 9. That said districts are hereby authorized to provide work and employment for such poor persons as may be able to perform or pursue such work or employment; and if any poor person, unless unable by reason of age, infancy, disease, or other disability, shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors, or by the steward or manager of such poor house, such person shall not be entitled to, or receiving any relief or assistance during the time such refusal shall be persisted in, and shall, immediately upon such refusal, be discharged from said poor house.

Work to be performed by inmates.

SECTION 10. That the overseers of the poor of said township and borough shall, as soon as notified by said directors, as provided in the ninth section of this act, cease to act as overseers of the poor in said township and borough, except so far as may be required to settle and close their accounts, as overseers, and they shall, upon demand, deliver to said directors transcripts of all poor taxes remaining unpaid on duplicates in their hands, together with all books, papers, orders and documents pertaining to their office as overseers; and shall pay to said directors, or to the treasurer of said corporation, all moneys unexpended or unapplied in their hands, belonging to said township or borough; and said overseers shall, upon such notice, immediately direct the tax collectors of said township and borough to pay over to said directors, or to said treasurer, the money in his or their hands, collected for the support of the poor, and not at such time applied by said overseers, and to cease the collection of any unpaid taxes, levied for the support of the poor, and thereafter the functions and powers of such collectors, for such purposes, shall cease; and said directors shall forthwith issue their warrant to the collector to be appointed by them for the collec-

Office of overseers, when to cease.

Books, papers, &c., to be delivered to directors.

Collectors of taxes, relative to.

Statement of
debts to be fur-
nished.

Settlement of
overseers' ac-
counts.

Rules and regu-
lations.

proviso.

Applicants for
relief to make
oath.

Duties and power
of steward.

tion of all such unpaid poor taxes, which shall be collected in the same manner as is in this act provided for the collection of taxes assessed by said directors, and the money so as aforesaid to be received and collected, shall be applied to the support of the poor of said township and borough; and said overseers of said township, and of said borough, shall, upon such notice, furnish to said directors a full and complete statement of the debts existing against said township and borough, respectively, which have been incurred for poor purposes, together with the names of the persons to whom such debts are owing.

SECTION 11. That if upon a final settlement by said overseers, of their accounts, any balance shall be found due them, or either of them, such balance shall be certified by the auditors making such settlement, and thereupon said directors are required to issue their order upon the treasurer of said corporation in favor of such overseer or overseers, for the amount or amounts so as aforesaid certified to be due.

SECTION 12. That said directors are hereby empowered to make and ordain such rules and regulations as they shall think proper and necessary, for the direction, government and support of said poor house, and the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same shall have first received the approbation of the court of quarter sessions of Wayne county, and shall not be repugnant to this act, or to any law of this state or of the United States.

SECTION 13. That if any person applying for relief, or residing in said poor house, shall refuse to make oath or affirmation, touching his or her place of legal settlement, or touching his or her property and circumstances, or shall refuse to answer any question touching the same, that shall be asked of him or her by any of said directors, said directors may refuse to extend relief to, or may withhold further relief from such person, until he or she shall consent to take such oath or affirmation, and answer all such questions; and if any such person, upon taking such oath or affirmation, shall wilfully and knowingly answer any such question falsely, or shall make any false statement concerning the subject matter of such oath or affirmation, such person shall be subjected to the same pains and penalties as are by the laws of this commonwealth visited and inflicted upon persons guilty of perjury.

SECTION 14. That the steward or manager of said poor house shall have, under the direction of said directors, and subject to such regulations as shall be made by them, the control and management of the poor persons residing in said poor houses, and shall superintend and direct the work and employment about which they may be engaged; said steward shall not expend any money, or create any indebtedness, by the purchase of any article or thing, on account of, or for the use of the property or persons under his control and management, unless the same be authorized in writing, and signed by at least two of said directors; and said steward is hereby required yearly, on the second Monday in January in each year, and whenever said directors may require, to furnish to said directors a statement of the income of said real estate, as nearly as the same can be

done; also the amount of expenditures made by him, under the order of said directors, setting forth the particular sources and amounts of such income, and the items and dates of such expenditures, and shall furnish his vouchers for the same; he shall also, in said statement, set forth the amount and kind, and so far as he can ascertain, the value of the various kinds of personal property then on hand, the number and names of persons admitted to, and discharged from said poor house during the year, or from the time of his last statement, the length of time each person remained, the age and sex of each, and the place of the settlement of each person at the time such person was received: *Provided*, That before such steward or manager shall enter upon the duties of his office, he shall give bond to said corporation, with sufficient security, to be approved by said directors, or a quorum of them, and in such sum as they shall direct, conditioned for the faithful performance of all of the duties pertaining to his appointment and office of steward or manager of said poor house. Steward to give bond.

SECTION 15. That a quorum of said directors are hereby enjoined and required to meet at said poor house, at least once in every month, and visit the grounds, buildings and appointments, and see that the poor are comfortably supported, and hear all complaints, and redress, or cause to be redressed all grievances that may happen by the neglect or misconduct of any person in their employment or otherwise. Directors to meet monthly.

SECTION 16. That the treasurer of said corporation shall, annually, on the second Monday of January in each year, and as often as said directors may require, render to said directors a just and correct account of his receipts and disbursements during the preceding year, or from the time of his last statement, and shall present his vouchers for such disbursements; and said directors shall, annually, in the month of January in each year, cause to be published in two newspapers of Wayne county for one week, a statement of the receipts, disbursements and expenditures of said corporation during the preceding year, together with a statement of property, real and personal, then held by said corporation. Treasurer to make an annual statement.

SECTION 17. That on the first Monday of December in each year, the court of quarter sessions of said county shall appoint three competent persons, who shall be citizens of said township or borough, to audit and settle the accounts of said directors; said auditors shall meet for that purpose on the second Monday of January in each year, and shall receive for their services each one dollar per day for every day necessarily employed; the report of said auditors shall be filed by them, with the clerk of said court, before the session of said court next after they shall have audited and settled said accounts; and said directors, treasurer, or any one or more of the tax-payers of said township or borough may, within twenty days from the filing of said report, appeal from such settlement to the court of common pleas of Wayne county, in the same manner, and under the same provisions and regulations, that appeals from settlements by township auditors are now allowed. Court to appoint auditors.
Compensation.
Report.
Appeal.

SECTION 18. That all orders issued for the relief of any poor person or persons within said township or borough, after the Orders for relief.

filing of the certificate mentioned in the ninth section of this act, shall be directed to the directors of the poor of Texas township and the borough of Honesdale, and upon the receipt of such orders said directors, or any one of them, shall immediately proceed to inquire into the circumstances, and if the person or persons named in such order or orders, shall be found to be entitled to relief, he or they shall furnish such relief or cause such person or persons to be removed to said poor house, there to be kept and maintained until legally discharged; any of said directors shall have authority to direct a poor person to be admitted to said poor house; but no person shall be discharged therefrom, unless at his or her request, except by the direction of at least two of said directors.

Discharge of inmates, relative to.

Compensation of directors and officers.

SECTION 19. That the compensation of the treasurer, collector of taxes, steward, physician and other officers or assistants, shall be fixed by said directors; and the compensation of said directors for the preceding year shall be fixed by the board of auditors at each yearly settlement; each of said directors to furnish said auditors with a correct account of the time lost and expenses incurred by him in attending to his duties; and each director to such account furnished, as aforesaid, and presented by him to said auditors, shall append an affidavit that such account is just and correct: *Provided*, That the compensation to be allowed to said directors for any one year shall not altogether exceed the sum of seventy-five dollars, which shall be apportioned among said directors according to the time lost and expenses incurred by each.

Proviso.

Orders upon treasurer.

SECTION 20. That no money shall be paid by the treasurer of said corporation except upon orders drawn by the directors and signed by at least two of them.

Contracts by overseers of any township or borough in Wayne county with directors, for support of poor, authorized.

SECTION 21. That it is hereby declared lawful for the overseers of the poor of any township or borough in Wayne county, if such overseers shall see fit, to make agreements or contracts with said directors, if said overseers and directors can mutually agree, for the keeping, maintaining or employment of the poor, or any of them, of such townships or boroughs, in said poor house, for such time and upon such terms, conditions, restrictions or stipulations as said parties may mutually agree; and after the making of any such contract or agreement, by such overseers with said directors, said overseers are hereby empowered to remove such poor to said poor house; and if any such poor person shall refuse to go to said poor house, such overseers may refuse to render relief to such poor person during the time such refusal shall be persisted in.

Penalty for misconduct or neglect of duty.

SECTION 22. That if any person being a director, after having taken his oath of office, or if any person being the treasurer, steward, tax collector or other officer or assistant, appointed by said directors, after having entered upon the duties of his office, shall be guilty of gross misconduct in said office, or shall wilfully and persistently neglect or refuse to discharge or perform the duties of said office or appointment, such person so offending, shall be liable to prosecution and indictment, in the court of quarter sessions of the peace for said county of Wayne, and upon conviction shall be sentenced by said court, to pay a fine of not more than two hundred dollars, together with the costs,

and undergo an imprisonment in the jail of said county for a period of not more than three months, or both, or either, at the discretion of said court.

SECTION 23. That so much of the laws of this commonwealth relating to the poor, hereby altered or applied, or inconsistent with this act, are hereby repealed. Repeal.

SECTION 24. That for the purpose of ascertaining the sense of the citizens of the borough of Honesdale and Texas township, as to the expediency of erecting a poor house, an election shall be held at the court house, in the borough of Honesdale, on the second Monday in May, Anno Domini one thousand eight hundred and sixty two, between the hours of nine o'clock in the forenoon, and seven o'clock in the afternoon of said day, at which election it shall be the duty of the inspectors to receive tickets either written or printed, from the qualified voters of the borough and township aforesaid, labelled upon the outside "poor house," and on the inside "for a poor house," or "against a poor house;" and if it shall appear, upon casting up the votes of the qualified electors, that a majority of those who voted are for a poor house, then the foregoing act to take effect, but if a majority of the votes are found to be against a poor house, the foregoing act to be, and the same is hereby null and void: *Provided*, That Amory Prescott shall be judge, Edwin F. Torry and William Holland, inspectors of said election; and in case either of the said parties fail to attend on the day of the election, the vacancy shall be filled by the members of the election board present, who are hereby authorized to appoint some qualified voter of the district to fill the place of either of the above named persons so failing to attend on the day of said election as aforesaid, and the said judge and inspectors shall have power to appoint a clerk. Vote to be taken upon the acceptance or rejection of this act.

SECTION 25. That it shall be the duty of the said judge and inspectors to make out a return of said election, containing the number of votes for, as well as against such poor house, together with the names of the voters, which returns shall be signed by them respectively, and attested by the clerk, which it shall be their duty to file with the clerk of the court of quarter sessions for Wayne county, within three days thereafter; that the judge, inspectors and clerk of said election, shall receive the same compensation as is paid to like officers under the general election laws of the commonwealth, to be paid equally from the poor funds of the borough of Honesdale and township of Texas. Officers to conduct the election.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 86.

A FURTHER SUPPLEMENT

To the act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the councils of the city of Philadelphia, before or on the second stated meeting in December in each and every year, shall fail to levy and fix the rate of taxes for the ensuing year, the tax rate of the preceding year shall be continued as the rate for the ensuing year; and it shall be the duty of the city commissioners to proceed at once to make out the tax duplicate for the ensuing year at said rates, so that the receiver of taxes shall be able to collect the taxes on the first Monday of February of said year.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 87.

AN ACT

Authorizing W. G. Freeman, Administrator of the estate of William Coleman, late of Cornwall township, Lebanon county, deceased, to sell certain real estate.

WHEREAS, William Coleman, late of Cornwall township, Lebanon county, died seized of a large landed estate, situate partly in the counties of Lebanon, Lancaster, York and Dauphin, without leaving personal estate sufficient for the payment of his debts; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

W. G. Freeman, administrator of the estate of William Coleman, deceased, be and he is hereby authorized to sell at public or private sale the whole or any part of the real estate, late of the said William Coleman, deceased, for the payment of debts, and to convey the same to the purchaser or purchasers thereof in fee simple: *Provided*, That the said W. G. Freeman, administrator as aforesaid, shall report such sales to the orphans' court of the county in which the real estate, so sold as aforesaid, is situated, for confirmation thereby; and such sales shall not be confirmed by said court until the said W. G. Freeman shall have filed a bond, in double the amount of the proceeds of such sale, with one or more sufficient securities, to be approved by the said court, conditioned for the faithful appropriation of the proceeds of sale according to law.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 88.

AN ACT

To change the line between Scott and Lower Saint Clair townships, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the line dividing Scott and Lower Saint Clair townships, in Allegheny county, as passes through the farm of William Espey, shall be so changed as to run in the following manner, to wit: Beginning at a point where the aforesaid line passes the junction of the line between lands of Richard Knowlson, William Espey and Hannah Sylvester; thence to a white oak tree, at the south corner of Knowlson's orchard; thence to the north corner of William Espey's tan-yard buildings; thence on a parallel line to the Union township line; thence along said line to the original Scott township line. Dividing line changed.

SECTION 2. That the commissioners of Allegheny county are hereby required to transfer the assessments of the said Commissioners to transfer assessments.

LAWS OF PENNSYLVANIA,

Esepy, for the current year, to the duplicates of Scott township.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 89.

A SUPPLEMENT

To the act, passed April fourteenth, one thousand eight hundred and thirty-four, entitled "An Act relative to the organization of the Courts of Justice."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the district court for the city and county of Philadelphia may, whenever they deem it expedient, increase the number of special jurors summoned to attend said court, so, however, as the panel for any one period shall not exceed sixty.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 90.

AN ACT

Relating to Views of Roads and Assessments of Damages in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the expenses of all views and reviews, and proceedings had thereon, to lay out and vacate public roads, or to assess damages arising therefrom, in the county of Wayne, shall be paid by the petitioners therefor; and that the provisions of the eleventh section of an act, entitled "An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk," approved by the governor the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby extended to said county of Wayne; and all laws inconsistent with or supplied by this act, so far as same relate to the county of Wayne, are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 91.

AN ACT

Supplementary to an act, entitled "An Act incorporating the Mutual Fire Insurance Company of Sinking Springs, Berks county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of managers, elected at the last election for officers by said company, shall serve to the end of the present year; and at the next election held by said company for officers, the tickets voted for a board of managers shall be apportioned in three classes, to wit: Class number one shall consist of five members

Present board of managers to serve until end of the year.

Classification of managers. and be elected to serve one year; class number two of four members and serve two years; class number three of four members and serve three years; and at every succeeding annual election thereafter the vacant class shall be filled, by election, for three years: *Provided*, That after the next election no member shall be competent to serve longer than three out of four years in succession.

Previous.

Repeal. SECTION 2. That all acts or parts of acts to which this is a supplement, and inconsistent with the provisions of this act, are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 92

A SUPPLEMENT

To the Charter of the borough of Newtown, Bucks county.

Qualifications of voters for borough officers. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time of the residence within the borough of Newtown, requisite to qualify persons to vote for borough officers, shall hereafter be six months instead of one year as heretofore required; and that all persons who are entitled to vote for members of the state legislature, and who have resided in the borough of Newtown six months prior to the election of borough officers, and within one year paid a borough tax, shall be entitled to vote for the borough officers.

Election of councilmen. SECTION 2. That at the next annual election for borough officers for the borough of Newtown, to be held after the passage of this act, the qualified electors shall elect nine persons as town councilmen, three to serve one year, three to serve two years and three to serve three years, and three annually thereafter: *Provided*, That no person, elected as aforesaid, shall be required to serve as a town councilman for a greater length of time than three years in any period of nine years.

Time of election. SECTION 3. That the election of borough officers in the borough of Newtown shall, after the passage of this act, be held on the third Friday in March in every year, between the hours of eight in the forenoon and seven in the afternoon.

SECTION 4. That all the provisions of the original act incorporating the borough of Newtown, Bucks county, and of the supplement thereto, hereby altered or supplied, as far as they are inconsistent with this act, are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 93.

AN ACT

Relative to roads in East Caln township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to repairing the public roads in the township of New Garden and Pennsbury, in said county," approved the eleventh day of March, Anno Domini one thousand eight hundred and forty-five, be and the same is hereby extended to the township of East Caln, in said county, and the existing road laws, so far as they are supplied by this act, are hereby repealed in said township.

JOHN ROWE,
Speaker of the House of Representatives.

ELIAS H. IRISH,
Speaker of the Senate pro tem.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 94.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the city of Carbondale," passed March fifteenth, eighteen hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the select and common councils of said city shall be elected in the same manner in which school directors are elected.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 95.

AN ACT

Changing the place of holding elections in South Creek township, Bradford county.

WHEREAS, There will not be any session of the court of quarter sessions in Bradford county before the holding of the spring elections, and as the voters of the election district have largely petitioned for the change; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the township of South Creek, in the county of Bradford, shall hereafter hold their general, special and township elections at the house now occupied by John F. Gillette, in the said township.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 96.

AN ACT

Relating to certain records of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the books now in the office of the recorder of deeds for the county of Philadelphia, containing surveyors' returns, and descriptions of lots and tracts of land in the city and county of Philadelphia, be transferred to the office of the department of surveys of said city; and that it shall be lawful for the chief engineer and surveyor of the city of Philadelphia to designate, and cause to be copied, by an officer of his department, in a book or books, such original warrants, return of surveys, and descriptions of lots and tracts of land, in and for the city and county of Philadelphia, which may be in the surveyor general's office at Harrisburg, as may, in his opinion, be necessary and useful for the correct transaction of the business of the department of surveys of the said city; and when the latter shall have been certified by the surveyor general to be correct, such copies shall be of the same authority as evidence, as other records of said department of surveys.

Certain records transferred to the department of surveys.

Copies to be made and certified by the surveyor general.

SECTION 2. That it shall be also lawful for the said chief engineer and surveyor to procure from the office of the clerk of quarter sessions of the county of Philadelphia, all detached plans of streets, roads and plots of any part of said city, and cause to be copied such other as may be parts of the records of said office, as he may designate to be necessary and useful in the said department of surveys; and the said chief engineer and surveyor shall also cause to be copied the records which may show when the streets and roads of said city were opened, and the courses and the widths thereof.

Records of plans of streets, roads, &c., to be copied

SECTION 3. That it shall be lawful for the councils of the city of Philadelphia, by ordinance, to cause to be made, under the direction of the chief engineer and surveyor of said city, plots of the grounds owned by all persons in the several wards of said city, in sections, from time to time, and to make provision for having the future changes in the ownership noted thereon, and placing copies thereof in the office of the city commissioners, to aid them in the assessment of the taxes.

Councils authorized to have certain plots made, &c.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 97.

AN ACT

Relative to Bridges in Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the commissioners of Carbon county to keep the roads in repair at each end of all the county bridges in said county, as far as the wing-walls or the filling up of said bridges may extend, and not any further; the expenses of such repairs shall be paid out of the county treasury of said county, by orders drawn by the commissioners in the usual way; any law or decree inconsistent with this act, is hereby repealed, so far as it relates to Carbon county.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 98.

AN ACT

To extend the limits of the borough of Mechanicsburg, in the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the limits of the borough of Mechanicsburg, Indiana county, shall be extended so as to include the following territory: Beginning at a post on the original line of said borough; thence by lands of Simon Truby, north seventy degrees east seventy-eight perches to a post; thence by C. Rode and A. Altimus, north twenty degrees west one hundred and sixteen perches to a post; thence by lands of George Hileman, south seventy degrees west one hundred and five perches to a post, south ten perches to a post, south seventy degrees west thirty-*

eight perches to a post, north eighty-nine degrees west twenty-four perches to a post; thence by James M'Donald and A. Altimus, south twenty degrees east seventy-nine perches to a post, on the original line of said borough, and thence by the line of said borough to the beginning, containing about one hundred acres, now owned by John Brink, James M'Mullen and Nicholas Peticord, and the persons now residing, or who may hereafter reside on said land, shall enjoy all the privileges and be subject to all the laws relating to said borough.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 99.

AN ACT

Changing the place of holding Elections in the Second ward of the city of Harrisburg.

WHEREAS, The place of holding elections in the Second ward, of the city of Harrisburg, causes an expense to the county :

And whereas, The proprietors of the hotel where it is now held, do not desire longer to have the same held there, and the court of quarter sessions will not meet until after the spring election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the Second ward, of the city of Harrisburg, shall hereafter hold their general and ward elections at the school house, on the corner of Dewberry alley and Chestnut street, in said ward.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 100.

AN ACT

To incorporate the Dickson Manufacturing Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Thomas Dickson, George L. Dickson, John A. Dickson, Charles P. Wurts and James Dickson, of Luzerne county, their associates, successors and assigns, and all such persons and parties, companies or corporations, as shall become stockholders in the company hereby incorporated, shall be and they are hereby constituted a body politic and corporate, by the name and style and title of the Dickson manufacturing company, to be located at or in the vicinity of Scranton, Luzerne county, Pennsylvania, and by said name, style and title, shall have succession and a common seal, with power to alter the same at pleasure; and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth or elsewhere, and to appoint all necessary agents and assistants, and may have all the rights and power necessary to carry on, manage and develop their business as a manufacturing company, in manufacturing iron and other metals, in all the various branches, in castings or otherwise, as they may deem desirable, steam engines, and all other machinery, and generally to make and manufacture, vend, sell and dispose of all such machinery, materials and articles as they may deem proper or necessary in the prosecution of their business; and for that purpose shall have power to purchase and hold, in fee simple, under lease or otherwise, not exceeding three hundred acres of land; and to purchase and hold all such personal and other property as may be necessary or convenient for the prosecution of their business, and to sell and dispose of the property, real and personal, of said company.</p>
Title.	
Powers and privileges.	
May hold land.	
Meeting of stockholders.	<p>SECTION 2. That a majority of the corporators herein named, may proceed to open books for subscription to the capital stock of said company, at Scranton, and when one thousand shares of stock are subscribed for, and fully paid in money or in property, as herein provided, the corporators named in this act, or a majority of them, shall call a meeting of the stockholders, for holding the first election of directors of said company, and when said election is made, this act shall take full effect; each share of stock shall be entitled to one vote, and stockholders may vote in person or by proxy.</p>
Election of directors.	
Capital stock.	<p>SECTION 3. That the capital stock of said Dickson manufacturing company shall be one hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, with the right and power in said company to increase its capital stock, from time to time, as it may elect, to any sum not exceeding the whole cost to said company, of its lands, buildings,</p>
Limitation.	

works, improvements, materials, stocks and other property, but is any event not to exceed the sum of three hundred thousand dollars; the subscription to the capital stock may be made payable in money, or in real or personal property, appropriate to the business contemplated by this act, at a fair valuation, to be fixed upon by a majority in interest of its stockholders, at the time of such purchase, and such purchases may include the real and personal estate heretofore belonging to parties associated jointly in business, and known by the name and firm of Dickson and Company.

SECTION 4. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not less than five, nor more than thirteen, as may be determined from time to time by the stockholders at any annual meeting; said board of directors shall be stockholders, and shall be elected annually, after the first election as hereinbefore provided for, and shall hold their offices for one year and until their successors are elected; but any failure or omission to elect such directors annually, shall in nowise impair or affect meanwhile the rights and powers of those holding over, or the rights and interests of said company in any way; said board of directors shall elect a president from one of their number, and shall appoint a treasurer, secretary, and such other officers and agents as they may deem necessary to manage the affairs of the company, and shall fill all vacancies occurring in their own body until the next succeeding election by stockholders; and a majority of said board shall form a quorum for the transaction of business; they shall have power to make by-laws for the regulation of the affairs of the company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of this commonwealth.

SECTION 5. That said company may borrow money and create indebtedness, in such way and manner as the board of directors may deem necessary for the prosecution and management of the business of the same, and issue the securities of said company therefor, in such form and manner, and payable in such places as they may deem proper, at a rate of interest not exceeding seven per cent., and dispose of such securities, in such manner, and at such places as such board may direct.

SECTION 6. That said company shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such other tax as is now or may hereafter be imposed by law on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for country produce, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna iron and coal company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That executors, administrators, guardians and all other trustees, who may hold stock in their representative capacity, shall be entitled to represent the same, without being subject to any personal liability there-

Subscriptions.

Board of directors.

Officers.

Vacancies.

By-laws.

Authorized to borrow money and issue securities.

Bonus to the state.

Individual liability.

Provide.

LAWS OF PENNSYLVANIA,

Reservation.

for, or on account thereof; and that persons holding stock, pledged by the owners thereof as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock at the meetings of stockholders, but that the owners thereof shall be entitled to such representation as fully as though no such pledge had been given: *And provided further*, That the legislature hereby reserves the right to amend, alter or repeal this act at any time; in such manner, however, as shall do no injustice to the stockholders.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 101.

AN ACT

To change the name of the Milton Saving Bank, and for other purposes.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the name, style and title of the Milton Saving Bank, be and is hereby changed to the Milton Bank; and the name of the officer in the charter of the said bank, styled treasurer, be and is hereby changed to cashier.

Certain provisions of the free banking law extended to.

SECTION 2. That the provisions of the thirty-seventh and thirty-ninth sections of the act, entitled "A supplement to an act to establish a system of free banking in Pennsylvania, et cetera," approved May first, Anno Domini one thousand eight hundred and sixty-one, be and are hereby extended to embrace the said Milton Bank; and the said Milton Bank be and is hereby authorized to deposit stock with the auditor general, and to receive letters patent from the governor, according to the third, tenth and thirty-ninth sections of said act; and to receive from the auditor general circulating notes in blank, for issue, immediately upon their depositing with him the bonds or evidences of debt of this commonwealth, or of the United States, according to the provisions of said act; one-fifth of the amount of

their capital paid in may be issued in notes of the denomination of one, two and three dollars.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 102.

AN ACT

For the relief of Charles Johnson, late Treasurer of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer of the state of Pennsylvania be and they are hereby authorized and empowered to open the account of Charles Johnson, treasurer of Delaware county with the commonwealth, and to re-audit the same, for the years one thousand eight hundred and sixty and one thousand eight hundred and sixty-one, and if it be found that the said treasurer has paid into the state treasury more money than was justly due by the county of Delaware to the commonwealth, according to the report of the last revenue board, and the laws of the commonwealth, then that the state treasurer be and he is hereby authorized and empowered to refund such excess, out of any moneys in the treasury not otherwise appropriated, to the said Charles Johnson, treasurer, or his successor in office.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 103.

AN ACT

Relating to the Courts of Sullivan county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the regular terms of the several courts in the county of Sullivan, shall commence on the fourth Tuesdays in February, May and September, and the third Tuesday in December, in each and every year, to continue one week if necessary, and that the judges of said court may, if they think proper, waive summoning jurors for any three of said terms.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 104.

AN ACT

Supplementary to an act incorporating the borough of Freeport, in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the town council of said borough shall consist of six members, who shall be elected as follows, to wit: two to serve for the term of one year, two to serve for the term of two years, and two to serve for the term of three years, and annually, thereafter, two shall be elected to serve for the term of three years.*

Election of councilmen.

Burgesses.

SECTION 2. That the chief and assistant burgess shall be elected for the term of two years.

Commencement of borough year.

SECTION 3. That the borough year shall commence on the third Monday of March annually.

Borough orders.

SECTION 4. That all orders issued by the authority of said borough, after the commencement of the next borough year, shall be presented to the treasurer of said borough for payment,

and it shall not be lawful for the collector of said borough to receive them in payment of taxes.

SECTION 5. That the qualified electors of said borough shall, at the time of the election of borough officers in said borough, elect three persons to serve as auditors for said borough, one of which shall be elected to serve for one year, one for the term of two years, and one to serve for three years, and shall annually, thereafter, at the time of the election of borough officers aforesaid, elect one person to serve for the term of three years; said auditors shall have the power to perform the duties, receive the pay, and be subject to the provisions of the laws of this commonwealth, in all things relating to township auditors: *Provided*, That the borough treasurer, collector of borough tax, street commissioner, overseers of the poor, and treasurer of the board of school directors, shall settle their respective accounts before said board of auditors: *And provided further*, That the said board of auditors shall have power to make settlement with any or all of the aforesaid officers, as far back as the year Anno Domini one thousand eight hundred and fifty-seven; and that the said board of auditors shall have the same powers as are by law given to township auditors to compel the attendance of parties, and the production of books and papers.

SECTION 6. That all acts of assembly contrary to the above, are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 105.

AN ACT

To prevent the destruction of Game in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act it shall not be lawful for any person or persons to shoot, kill or destroy any quail or partridges in the county of Northumberland, between the first day of January and the first day of October, of each and every year hereafter.

SECTION 2. That it shall not be lawful for any person or persons, at any time during the year, in said county, to net or trap with nets or other device, any quail or partridge.

Penalties.

SECTION 3. That any person or persons offending against the provisions of the first section of this act, and being convicted thereof before any justice of the peace of said county of Northumberland, by oath or affirmation of one or more witnesses, shall for every such offence pay a fine of five dollars, with costs of prosecution; and any person or persons offending against the provisions of the second section of this act shall, for every quail or partridge so caught, trapped or netted, or by other device, pay a fine of five dollars, to be appropriated to the poor fund of the township in which the complaint is made, and if the offender shall refuse to pay the said fine, he shall be committed to the jail of the said county for a term not exceeding five days: *Provided*, That such conviction be made within sixty days after the commission of the offence: *And provided further*, That the fact of any person offering quails or partridges for sale, which have been so taken, caught, netted, trapped, or by other device, or shot, killed or destroyed out of the time limited in said act, shall be received as evidence to convict the party of a violation of the provisions of this act.

Proviso.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 106.

AN ACT

To authorize the borough of Susquehanna Depot to increase their taxation for borough purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the burgess and town council of the borough of Susquehanna Depot, in the county of Susquehanna, shall have power to levy and collect a tax for borough purposes, of not more than one cent on the dollar of the last adjusted valuation.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 107.

SUPPLEMENT

To an act, entitled "An Act to incorporate the Johnstown and Scalp Level Turnpike Road Company," approved the seventeenth day of April, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Johnstown and Scalp Level turnpike road company to borrow any amount of money, not exceeding five thousand dollars, at such rate of interest as the managers may agree upon, for the purpose of completing the construction of said road, and of paying any debts heretofore contracted in its construction, and to secure the payment of the said loan with its interest, by bonds and mortgage on the road, and the franchises of the company, or by pledge of the tolls on all or any part of the said road, or both, and that any subscriptions of stock heretofore bona fide made to the said company, shall be and are hereby declared to be good, valid and collectable, notwithstanding one dollar per share was not paid at the time of such subscription: *Provided*, That no bond issued under the provisions of this section shall be for a less sum than fifty dollars.

Authorized to borrow money.

Security.

Subscriptions of stock.

Proviso.

SECTION 2. That the election for the present officers of the said company, held at the house of Joseph Geis, in Richland township, Cambria county, on the first Monday of November last, be and the same is hereby declared to be valid and confirmed.

Certain election confirmed.

SECTION 3. That the said company may construct a branch of their road, from a point at or near the house of Joseph Geis, in Richland township, to a point at or near the mill of Lewis Donmyer, in the same township; and for the purpose of constructing the said branch, the company may increase their capital stock from time to time, by a vote of the stockholders, at a meeting to be held for that purpose, so much as in their opinion may be necessary to complete the said branch.

May construct a branch road.

Capital stock may be increased

SECTION 4. That the managers of the said company may, at their option, receive in payment of subscriptions of stock, labor, materials or any commodities which they can use in the construction of the said road or branch.

Payment of subscriptions, relative to.

SECTION 5. That whenever the said company shall have constructed, in the manner prescribed by an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, one mile of road in addition to the three miles now in use, the said company may cause tolls to be collected thereon, at rates not greater than prescribed by said act, and so on for each additional mile so constructed and completed on the line

When tolls may be collected.

of said road, or the branch authorized to be constructed by the third section of this act.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 108.

AN ACT

To prevent the hunting of Rabbits with Ferrets, in Allegheny, Lancaster and Dauphin counties.

Hunting or killing rabbits by ferrets prohibited. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any person or persons to hunt, catch or kill any rabbits in the counties of Allegheny, Lancaster or Dauphin, by the use or means of ferrets.

Penalty.

SECTION 2. That any person or persons violating the previous section of this act, shall forfeit and pay the sum of five dollars for every offence, to be recovered before a justice of the peace, by an action of debt in the name of the commonwealth, said sum of five dollars to be paid into the public school fund of the township in which the offence shall have been committed, the informer to be hereby made a competent witness in said action.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 109.

A N A C T

To provide for the appointment of Fence Viewers in the city of Philadelphia.

WHEREAS, The act of consolidation of the city of Philadelphia, passed February two, one thousand eight hundred and fifty-four, had made no provision for fence viewers, which prior to said act was vested in township and borough auditors:

And whereas, The office of township and borough auditors became extinct by the said act of consolidation, leaving parties without redress in case of insufficiency of partition fences; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the board of surveyors and regulators of the city of Philadelphia shall, in addition to the duties now imposed upon them, perform the duties hereinafter prescribed as fence viewers; that in addition to the oath now prescribed to be taken by the said surveyors and regulators, they shall be sworn or affirmed to discharge their duties as such viewers, faithfully and impartially.

The board of surveyors and regulators to discharge the duties of fence viewers.

SECTION 2. That on application made to the said board of surveyors and regulators, the president shall, at the first meeting of said board thereafter, appoint three members thereof, who shall within five days thereafter proceed to view and examine any line or partition fence, and shall make out a certificate in writing, setting forth whether, in their opinion, the fence, if one has been already built, is lawful or otherwise; and if not lawful, or if no fence is built upon said line, then stating what proportion of cost, repairing the old or building a new fence, should be borne by each party; and in each case they shall set forth the sum each party ought to pay to the other, in case he should build or repair the other party's portion of said fence, a copy of which certificate shall be delivered to each of the parties; and they shall also present to the said board, at the next stated meeting thereafter, a report of their proceedings, which report, if approved by said board, after hearing of the parties interested, shall be final and conclusive.

Their duties.

Report to be final when approved.

SECTION 3. That if the party who shall be delinquent in making or repairing any fence, shall not within ten days after the report shall have been approved by the said board, proceed to repair or build the said fence, and complete the same in a reasonable time, it shall be lawful for the parties aggrieved, to repair or build said fence, and he may bring suit before any alderman against the delinquent party, and recover as in other actions for work and labor done, and service performed and materials found, and either party may appeal from the decision of the alderman as in other cases.

Proceedings in cases of delinquents.

Appeal from alderman's decision.

Material and height of partition fences regulated.

SECTION 4. That all partition fences dividing enclosed lands within the rural districts of the said city of Philadelphia, shall be substantially made, at least four feet six inches high, and of sufficient rails or logs, the bottom rail or log to be not more than eight inches above the ground; and in the built up portions of said city, a tight board or pallisade fence, substantially built, at least six feet high; and in either case, the said viewers and board of surveyors and regulators shall have power to designate the kind of fence to be built: *Provided*, The cost in the rural districts shall not exceed twelve cents per lineal foot, and in the built up portions of said city, not exceeding twenty-five cents per lineal foot.

Cost.

Cases where buildings are part of partition fences, relative to.

SECTION 5. That in all cases where a building shall be a part of such party fence, the owner of the ground on which such building is erected, shall be allowed for so much of said building as forms part of the partition, as part of his share of the whole fence, in proportion to the cost of the whole; and in case the parties shall agree to divide any partition fence between them, such agreement, setting forth the kind of fence, and what portion of the same each party shall make and keep in repair, shall be filed in the office of the board of surveyors and regulators, to be there kept as a public record.

Agreement between parties to be filed.

Repeal.

SECTION 6. That all laws applying to fence viewers or partition fences in the city of Philadelphia, as are hereby altered, amended or supplied, are hereby repealed.

No compensation allowed.

SECTION 7. The board of surveyors and regulators of the city of Philadelphia shall receive no compensation for the services required to be performed by them by the provisions of this act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 110.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Bethlehem Railroad Company," approved May first, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

it shall be lawful for any other chartered company or companies to subscribe to the capital stock of the said Bethlehem railroad company, either by cash subscription, or by subscription, payable by allowance of tolls on freight, express goods, or passengers, passing from or upon the road of this company, or to loan the said company money, or endorse the bonds provided to be issued by the second section of the act to which this is supplement: *Provided*, That the said company to secure said bonds so authorized to be issued, may mortgage the whole or any portion of their road or property, or the income, revenue or tolls of the whole or any part of their road or property, or the whole or any part of their franchises or corporate privileges; and the said company may, at their option, construct the bridge provided for in the act to which this is a supplement, so that the same may be a toll and railroad bridge, and charge and receive tolls for crossing the same, in accordance with the proviso to the eighth section of the act aforesaid.

Other companies may subscribe to capital stock or loan money, &c.

Authorized to secure bonds by mortgage.

Construction of bridge.

Tolls.

SECTION 2. The said company may, at their option, increase their capital stock to one hundred and fifty thousand dollars, of which amount twenty-five thousand dollars may be issued as a preferred stock, on which the company may make such dividend, not exceeding ten per centum per annum, before any dividend is made upon the common stock, or they may appropriate the receipts of any portion of their road to the payment of the dividend on such preferred stock.

May increase capital stock.

Preferred stock.

Dividend.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 111.

A FURTHER SUPPLEMENT

To an act incorporating the borough of East Birmingham, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next election to be held in said borough for the election of officers of said borough, six councilmen shall be chosen, three of whom shall serve for the term of two years, and three shall

LAWS OF PENNSYLVANIA,

serve for the term of one year; and after said first election, three councilmen shall be chosen annually, to serve for the term of two years; and that so much of the act to which this is a supplement, as may be inconsistent herewith, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 112.

AN ACT

To fix the place of holding Elections in Miles township, Centre county, and in Loyalsock township, Lycoming county.

WHEREAS, The house at which elections were formerly held in Miles township, Centre county, has been destroyed by fire, and the court of quarter sessions of said county does not meet until April next, and the spring election must be held on the third Friday in February; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified electors of the township of Miles, in the county of Centre, shall hereafter hold their general, special and township elections in the school house in the village of Rebersburg, sometimes called Henrysburg, in said township.*

SECTION 2. That the qualified electors of Loyalsock township, in Lycoming county, shall hereafter hold their general and township elections at the Exchange hotel on Market street, in the East ward of Williamsport.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

We do certify that the bill, "An Act to fix the place of holding elections in Miles township, Centre county," was presented to the governor on the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-two, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitu-

tion of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,
Clerk of the House of Representatives.
GEO. W. HAMERSLY,
Clerk of the Senate.

No. 113.

AN ACT

Creating two additional Assessors for the First and Twenty-second wards, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Philip H. Khlose and Patrick Fox, be and they are hereby appointed additional assessors for all that part of the First ward, west of Passyunk road and north of Mifflin street, including the west side of Passyunk and north side of said Mifflin street, to serve until the next annual election; and that Gideon Keyser and William Stallman, be and they are hereby appointed additional assessors for all that part of the Twenty-second ward, lying within the boundaries of the first, second, third and fourth precincts of said ward, to serve until the next annual election.

Additional assessors appointed.

SECTION 2. That at the next annual election the qualified voters of said city shall elect four assessors, in lieu of the two now provided for by law, two of whom shall be for the eastern district, which shall be composed of that portion of said ward lying east of Passyunk road and south of said Mifflin street; and two of whom shall be for that portion of said ward as designated in the first section of this act; and said assessors shall be elected by general ticket, as other ward officers are now elected in said ward.

Election of assessors for the First ward.

SECTION 3. That at the next annual election the qualified voters of said Twenty-second ward shall elect four assessors, in lieu of the two now provided for by law, two of whom shall be for the fifth, sixth, seventh and eighth precincts, and two of whom shall be for that portion of said ward as designated in the first section of this act; and said assessors shall be elected by general ticket, as other ward officers are now elected in said First and Twenty-second wards.

Election of assessors for the Twenty-second ward.

JOHN ROWE,
Speaker of the House of Representatives.
LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-two. A. G. CURTIN.

No. 114.

A FURTHER SUPPLEMENT

To the act incorporating the East Pennsylvania Railroad Company.

- Authorized to construct additional tracks, depots, &c.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the East Pennsylvania railroad company to project and construct additional tracks, sidings, turnouts, depots, water stations, engine houses, telegraph wires, and all necessary buildings, houses, shops and offices, together with pens for the accommodation of stock; and in projecting and constructing the same, the said railroad company shall be entitled to all the rights and privileges, and be subject to all the restrictions of the act of assembly incorporating the said East Pennsylvania railroad company, under the name of the Reading and Lehigh railroad company, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, and the several supplements thereto; and whenever the said company shall enter upon lands for the purposes aforesaid, they shall stake off and designate the boundaries of the same, and in case an amicable settlement cannot be made therefor, the said company shall make an accurate survey and draft thereof, upon which shall be based all legal proceedings for the recovery or adjustment of damages.
- Subject to.**
- Damages, relative to.**
- Mode of settlement in cases of lunatics, trustees &c.** SECTION 2. That it shall and may be lawful for any committee of a lunatic, or of an habitual drunkard, or other trustee created by last will and testament, or by appointment or otherwise, to make amicable settlement with said company for damages done to the property or estate under his charge, in the same manner as is provided for guardians by the sixth section of the act to which this is a supplement; and in case the said parties cannot agree, the said company may proceed as is provided in the fourth section of the act to which this is a supplement.
- The intent of a certain section defined.** SECTION 3. That the true intent and meaning of the seventh section of the act to which this is a supplement, is, that the president and four directors, or five directors, of said company, constitute a quorum.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 115.

A FURTHER SUPPLEMENT

To the act incorporating the Duncannon, Landisburg and Broad Top Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the limitation contained in the third section of the act of the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine, entitled "A further supplement to the act incorporating the Duncannon, Landisburg and Broad Top railroad company," be and the same is hereby extended for a further period of five years, that is to say, for five years from the thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 116.

AN ACT

To authorize the arrest of Professional Thieves, Burglars, et cetera, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, if any person shall be charged on oath or affirmation before the mayor or police magistrate of the central station of the city of Philadelphia, with being a professional thief, burglar or pickpocket, and who shall have been arrested by the police authorities at any steamboat landing, railroad depot, church, banking institution, broker's office, place of public amusement, auction room, store, or crowded thoroughfare in the city of Philadelphia, and if it shall be proven to the satisfaction of the said mayor or police magistrate,

The mayor or police magistrate authorized to commit professional thieves, &c.

Imprisonment.

Security.

Parties may apply to court for writ of *habeas corpus*.

appointed by the mayor for the central station, by sufficient testimony, that he or she was frequenting or attending such place or places for an unlawful purpose, he or she shall be committed by the said mayor or said police magistrate to the jail of the county of Philadelphia, for a term not exceeding ninety days, there to be kept at hard labor, or in the discretion of the said mayor or police magistrate of said central station, he or she shall be required to enter security for his or her good behavior for a period not exceeding one year.

SECTION 2. That any person who may or shall feel aggrieved at any such act, judgment or determination of the said mayor or police magistrate of said central station, in and concerning the execution of this act, may apply to any judge of the court of quarter sessions for a writ of *habeas corpus*, and upon return thereof, there shall be a re-hearing of the evidence, and the judge may either discharge, modify or confirm the commitment.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 117.

A SUPPLEMENT

To an act incorporating the borough of Doylestown, passed April sixteenth, one thousand eight hundred and thirty-eight.

Time of holding borough election

Election officers.

Meeting.

Accounts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the annual election for borough officers of the borough of Doylestown, shall after the passage and approval of this supplementary act, be held on the third Friday in March, in each and every year, at the same place and time, and conducted by the same election officers as hold the general election for county and state purposes; the persons so returned as elected and notified of their election as borough officers, are required to meet at the usual place of meeting of the town council of said borough, on the following Saturday after the election, at nine o'clock, A. M., for organization.

SECTION 2. All persons elected or appointed as borough officers are required to render their accounts for settlement whenever required by the town council of said borough of Doylestown.

town, and in all respects to comply with the provisions of the fourth section of the supplementary act incorporating the said borough of Doylestown, approved April sixteenth, one thousand eight hundred and forty.

SECTION 3. It is made the duty of the clerk of the town council, within five days after holding the appeal as is provided for in the fourteenth section in the original act of incorporation, to deliver to the borough treasurer a certified copy of the names of all persons returned as tax payers, who have been duly assessed and charged with taxes for borough purposes; and it is made the duty of the said treasurer to give notice, by hand bills, that all taxes paid on or before the second Monday in August, will be entitled to receive an abatement at the rate of five per cent. on the amount so paid; all taxes paid on or before the second Monday in October, an abatement at the rate of three per cent.; all taxes due and unpaid on or before the second Monday in December, will then be received without abatement or additional charge; the borough treasurer, as aforesaid, is required to make monthly statements at each stated meeting of the town council, or special meeting, if required, setting forth the amount received for taxes, or from other sources, paid in cash or borough orders, and the balance in the treasury; the said treasurer in his stated account, rendered on the third Monday in December, to set forth the amount of taxes received, with an abatement of five per cent., amount received, with an abatement of three per cent., and how much received, at the amount charged, and the amount unpaid, with a certified list of the names of the persons owing the same.

Clerk of council to deliver a list of the tax-payers to treasurer.

Payment of taxes

Abatement.

Treasurer to make monthly statements.

SECTION 4. Within five days after the said third Monday in December it is made the duty of the town clerk to make out a list of the names of all defaulting tax-payers, as returned by the treasurer aforesaid, and to attest the same by the corporate seal and his official signature, and deliver the same within said five days to the chief burgess of said borough of Doylestown, whose duty it shall be to issue his precept or warrant to the high constable, or such other person as the town council may order and direct, making it the duty of the said high constable, or such other person as the town council may direct, commanding and requiring him to collect from said delinquent tax-payers the amount respectively charged to them, and remaining unpaid, together with an additional charge to said defaulting tax-payers, at the rate of six per cent. on the amount so charged, as a compensation for collecting the same; and the said chief burgess to enjoin and require said person so authorized to collect said taxes, to pay the same into the borough treasury on or before the second Monday in February, less such amount as may be allowed for remittances or other purposes by the town council: it is provided that no remittances will be allowed after the second Monday in February.

Mode of collection from delinquents.

Remittances.

Proviso.

SECTION 5. If the high constable or person so appointed to collect the taxes due from delinquent tax-payers, should fail to make settlement and payment thereof, on or before the said second Monday in February, as required, it is made the duty of the president of the town council, on or before the third Monday in February of the same year, to sue out the bonds of said

Collectors required to make settlement before the second Monday in February.

delinquent collector and his sureties, who shall be charged at the rate of ten per cent. on the balance due, the time to be computed from the said third Monday in February until paid.

Repeal.

SECTION 6. So much of the act and supplementary acts incorporating the borough of Doylestown, as conflicts with the powers and privileges hereby conferred, be and the same is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 118.

A SUPPLEMENT

To the act incorporating the borough of Washington.

Time and place of holding borough elections.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the election of municipal officers of the borough of Washington, in the county of Washington, shall be at the time and place appointed by law for the choice of inspectors of the general election.

Election officers.

SECTION 2. That the election shall be held by the officers of the general election, in accordance with, and subject to all the provisions of the laws regulating township elections.

Qualifications of voters.

SECTION 3. That every person entitled to vote for members of the general assembly, and having within one year paid a borough tax, if such shall have been levied, shall be entitled to vote for municipal officers.

Eligibility.

SECTION 4. That any elector having resided in the borough one year preceding such election, shall be eligible to any municipal office.

Vacancies.

SECTION 5. That it shall be the duty of the burgesses and council, or a majority of them, to fill all vacancies occurring in municipal offices.

Repeal.

SECTION 6. That any provision in the charter of the said borough, and all general laws of this commonwealth inconsistent

herewith, are hereby repealed, so far as refers to the borough of Washington.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 119.

AN ACT

To incorporate the Westmoreland College at Mount Pleasant, in West moreland county.

WHEREAS, The trustees of Mount Pleasant Union college, in pursuance of an act of assembly, passed the eighth day of April, Anno Domini one thousand eight hundred and sixty-one, sold and conveyed to the proper officer of the Westmoreland Classis of the German Reformed church, certain real estate, situate at Mount Pleasant, in the county of Westmoreland:

And whereas, The said classis has founded a college at the same place, under the name of Westmoreland college, and is desirous of having the same incorporated and formed into a body politic in law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and hereby is erected and established at Mount Pleasant, in the county of Westmoreland, in this commonwealth, a college for the education of persons in the various branches of the arts, sciences, literature, and the ancient and modern languages, male and female, by the name, style and title of the Westmoreland college. Incorporation.

SECTION 2. That the trustess shall be F. K. Levan, William J. Baer, George B. Russell, William E. Schmertz, N. P. Hacke, R. P. Thomas, J. J. Painter, T. H. Brinker, C. Sandles, J. Barnhart, Isaac Shupe, Benjamin Kemp, J. H. Johnston, Edward Braden, Thomas Hurst, Daniel Shupe, M. Overholt, J. W. Newmeyer, J. H. Clark, J. Loar, Samuel Warden, Abraham Beam, Joseph P. Brubaker, David Hay, with power to increase the number to thirty-six, of which trustees aforesaid, and their suc- Trustees.

- Privileges.** cessors, two-thirds shall be members of the German Reformed church; which trustees, and their successors, to be elected as hereinafter directed, shall be a body corporate and politic, by the name, style and title of the Westmoreland college, and shall have full power to use one common seal, and to alter and renew the same at pleasure, to have perpetual succession, with legal ability to sue and be sued, and in law and equity to take, hold and dispose of, for the use of said college, any description of property, real and personal, by deed, gift, devise or otherwise, and if deemed necessary, to appoint agents to solicit and collect funds for the erection of buildings, the endowment of professorships, and such other purposes as may advance the interest of the institution, and to all such necessary acts as such corporation may rightfully do: *Provided*, That the annual income of the same, exclusive of the income from students, shall not exceed the yearly value of ten thousand dollars.
- Income.** SECTION 3. That the trustees aforesaid shall hold their first meeting on Thursday, the thirteenth day of March, Anno Domini one thousand eight hundred and sixty-two, at the college building, after which they shall hold their meetings annually, and oftener, as they may determine; the time of holding the annual meetings shall be determined by the trustees themselves; the special meetings shall be at the call of the president.
- Meetings of trustees.** SECTION 4. That the trustees shall have power to fill all vacancies in the board that may occur, and may increase their number to thirty-six, conforming, however, to the provisions of section two; such election to fill vacancies or to increase the number, to be held at a regular annual meeting; they shall also have power to make all necessary by-laws and regulations for the government of said corporation, which by-laws and regulations shall be in force until repealed or modified at a regular annual meeting of the trustees.
- Vacancies.** SECTION 5. That said trustees, seven of whom shall be a quorum, and a majority of which quorum shall be members of the German Reformed church, shall elect from their number a president, a vice president, a recording secretary, a corresponding secretary and a treasurer; they shall also have power to appoint and remove professors and teachers in said college, to elect all officers necessary and proper for the government of the college or corporation, to define their several duties, compensation, term of service.
- By-laws.** SECTION 6. That the capital stock of said corporation shall not exceed one hundred thousand dollars.
- Quorum.** SECTION 7. That the trustees, in connection with the faculty of the college, shall have power to grant and confer such degrees in the liberal arts and sciences, or such branches thereof, to such students of the college, or others, as from their proficiency in learning they may deem justly entitled to such honors, and such as are usually granted by institutions of a similar kind, and to grant diplomas or certificates under their common seal as may authenticate and perpetuate the memory of such graduation.
- Officers and professors.** SECTION 8. That the said trustees shall have power to declare vacant the seats of any of its members who shall be absent from
- Capital stock.**
- Degrees, diplomas, &c.**
- Absence of trustees from meetings.**

the meetings of the board for the period of two years, without sufficient excuse.

SECTION 9. That all property, real and personal, shall be held by said trustees in trust for the Westmoreland Classis of the German Reformed church. Property held in trust.

SECTION 10. That no misnomer of the said corporation shall defeat or annul any gift, grant or bequest, intended to enure to the benefit of said college. Misnomer.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 120.

AN ACT

To protect a certain Bridge over the Conemaugh river, at Johnstown.

WHEREAS, The boroughs of Johnstown and Millville, in the county of Cambria, have erected at their joint expense a bridge connecting said boroughs over the Conemaugh river, at Johnstown :

And whereas, Upon the arrest of persons charged with injuring or defacing said bridge, uncertainty frequently exists as to within the limits of which of said boroughs such injury or defacement has been committed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the burgess and town council of the boroughs of Johnstown and Millville, respectively, to enact such ordinances, by-laws, rules and regulations for the protection of said bridge from defacement, and from wilful and malicious injury by fast driving over the same, or in any other way or manner as they may respectively deem proper ; and upon the arrest of any person or persons, charged with injuring or defacing said bridge, or any part thereof, it shall be lawful for the officer making the arrest, to take the person or persons arrested before the burgess of either of said boroughs of Johnstown and Millville, who shall have full power and authority to inflict such penalty or penalties, as may be provided by the ordinances

LAWS OF PENNSYLVANIA,

of the borough before the bargess of which the person or persons arrested may be brought.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 121.

AN ACT

To authorize the Auditor General and State Treasurer to allow credit to Thomas Birch, auctioneer of Philadelphia.

WHEREAS, Thomas Birch, auctioneer of Philadelphia, on the twentieth day of March, one thousand eight hundred and fifty-seven, deposited in the Bank of Pennsylvania, to the credit of the state of Pennsylvania, the sum of sixty-two dollars and fifty-nine cents, which sum was credited to the commonwealth by said bank, in account rendered to the state treasurer, on the twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-seven:

And whereas, The said sum has not been credited to the said Thomas Birch; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general and state treasurer of this commonwealth be and they are hereby authorized to examine and adjust the accounts of said Thomas Birch, on account of auction duties, and to credit him with whatever amount he may be entitled to.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 122.

AN ACT

To incorporate the Dewart Academy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Wm. L. Antrim, Wm. Datesman, Joseph D. Hayes, A. J. Darrah **Corporators.** and Joseph Durham, and their successors, be and they hereby are created into a body politic and corporate, in deed and in law, by **Title.** the name, style and title of Dewart academy, and by that name shall have perpetual succession; the trustees filling vacancies **Vacancies** that may from time to time occur, by death, removal or otherwise; and shall be able to sue and be sued, to plead and be impleaded, and shall be able and capable, in law and in equity, to receive, take and hold, for the use of said incorporation, lands, tenements, hereditaments and estate, real and personal whatsoever, particularly the land and building already purchased and erected, and the same to grant, bargain and sell, transfer and assign, mortgage and convey, in such manner as said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, covenants, conveyances and assurances whatsoever; and to make, have and use a common seal, under **Seal.** and by which all deeds, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same seal to change and renew at pleasure; and generally to do every other act or thing necessary to carry into effect the provisions of this act, and to promote the objects and designs of the said corporation.

SECTION 2. That the object and design hereof is to incorporate **Object.** the Dewart academy, at Dewart, Northumberland county, in which are to be taught the elementary branches of education, together with the sciences, modern and ancient languages, in the manner that may be determined from time to time by the proper officers of said corporation, and as the same may be set forth in their by-laws and regulations: *Provided,* That such by-laws and regulations are not inconsistent with this charter, or with the constitution of the United States, or the constitution and laws of this commonwealth. **By-laws.**

SECTION 3. That the said corporation shall have power to adopt a constitution and make by-laws, and the same to amend **By-laws authorised, &c.** and repeal at pleasure, and to borrow sufficient money to liquidate the present indebtedness of the academy, a sum not to exceed three hundred dollars, and secure the same by bond and mortgage of the real estate of the corporation.

SECTION 4. That no misnomer of the said corporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto, nor any act or deed intended to be made or done thereby, nor shall the clear annual value of the estate of said corporation exceed the sum of five thousand dollars. **Misnomer.**

Election of trustees.

SECTION 5. That the stockholders of said corporation shall, annually, on the first Monday of May, the first election to be held on the first Monday of May, one thousand eight hundred and sixty-two, elect five trustees from among them; ten days notice of said election shall be given by the trustees in such manner as they shall direct; but if at any time it shall happen that the election shall not be held on the day prescribed, the privileges of the said corporation shall not for that cause be forfeited, but the officers last elected shall remain in office until others be duly elected; and in case of the absence or refusal of either of said officers to act, the secretary, or any member of the board, may notify the stockholders thereof, and another election shall be held in ten days from the date of said notice.

Record of proceedings.

SECTION 6. That all by-laws, ordinances and proceedings of said corporation shall be fairly and regularly entered in a book to be kept for that purpose by the secretary, and shall be open to the inspection at any time, of any of the stockholders of said corporation.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 123.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Marietta and Mount Joy Turnpike Company," authorizing the Board of Managers thereof to borrow money.

Managers empowered to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of managers of the Marietta and Mount Joy turnpike road company be and they are hereby authorized and empowered to borrow any sum of money, not less than five hundred and not exceeding in the whole more than five thousand dollars, as they may deem necessary for the payment of the debt of said company; and it shall and may be lawful for the board of managers of said company to secure the money, so borrowed, by bond of said managers and mortgage upon said road, or otherwise, as said managers may direct.

SECTION 2. That whenever the said company shall have completed their road between the termini fixed by the act of incorporation, the president may give notice to the governor, and the governor shall appoint viewers, as provided by the twelfth section of the act of twenty-sixth January, one thousand eight hundred and forty-nine, regulating turnpike and plank road companies.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 124.

AN ACT

Relative to Prothonotaries of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the prothonotaries of the several courts of this commonwealth, on the expiration of their several terms of office, to deposit in the custody of their successors in office all sheriff's deeds that may have been delivered to them during their official terms and which have not been called for by the parties entitled to the same; which deeds shall be delivered to the purchasers upon payment of the legal fees for entering the same upon the records of the court, when the same have not already been paid; and the failure to comply with this act shall subject the person so offending to a penalty of twenty dollars, to be recovered by action of debt, one-half thereof to be paid to the treasurer of the county for the use of said county, and the other half thereof to be for the use of the person who shall sue for said penalty.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 125.

AN ACT

To change the place of holding the general, special and borough Elections in the borough of Millersburg, Dauphin county.

WHEREAS, The general and special elections of said borough were heretofore held at the school house, on the banks of the Wiconisco creek, and the borough elections at the school house on Middle street, in said borough:

And whereas, The board of school directors of said borough have sold both houses to private parties, and erected a new one upon the site of the latter one, and that now there is no place for holding the election aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the general, special and borough elections for said borough, shall be held at the window next to the north-east corner, on the east side of the new school house, situate on Middle street, in the borough of Millersburg, in the county of Dauphin; all laws heretofore passed in relation to the place of holding elections in said borough, be and the same are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 126.

AN ACT

To authorize the extinguishment of certain Ground Rents.

WHEREAS, William Carter, of the city of Philadelphia, by his last will and testament, duly proved and recorded in the register's office of the said city, on the sixteenth March, one thousand seven hundred and thirty-eight, and recorded on book F, page one hundred and one, et cetera, did, *inter alia*, devise and

bequeath certain small ground rents, or the yearly income arising therefrom, to wit: One six pounds ground rent by the deed assignment of Daniel Flour, one thirteen shillings by the agreement of Thomas Miller, one two pounds by the indenture of Charles Read, one two pounds by the indenture of Evan Owen, one five pounds ten shillings by indenture of John Johnson and wife, one one pound sixteen shillings by the indenture of George Bauld and wife, one one pound sixteen shillings by the indenture of Joshua Carpenter and John Rakestraw, one three pounds by the indenture of Samuel Fisher and wife, one three pounds sterling by the indenture of Alex. Lindley, one one pound ten shillings and nine pence of Joshua Carpenter and wife and Ebenezer Large, one four pounds three shillings and four pence assigned over by Robert Tate the son, one six pounds by the indenture of Israel Morris, Daniel Morris and John Morris, and one two pounds thirteen and four pence by the indenture of William Brown, in all thirteen ground rents; to and for the intent and purpose, that by and out of the same rents, the yearly sum of ten pounds thirteen shillings should be annually employed in the fitting out and putting to apprentice yearly, forever, two such poor children of either sex, as the people called Quakers, belonging to their monthly meetings in the said city shall from time to time appoint; and to and for the further intent and purpose, that by and out of the same thirteen yearly rents, the yearly sum of twelve pounds two shillings, or as much as should be thought needful, should be annually employed and laid out for the relief of the poor people belonging to the almshouse, belonging to the people called Quakers in the said city, for their clothing, et cetera, as in and by reference to the said will more fully and at large appear:

And whereas, There is great difficulty encountered in the collection of these very small ground rents, and their existence as a permanent lien upon large pieces of ground is an impediment to the improvement thereof, and it is believed that the charitable intentions of the donor would be promoted by permitting the sums due on said ground rents to be paid off, and the ground rents extinguished, and the whole sum realized from the sale or extinguishment of such ground rent or ground rents, to be re-invested, so that the income could be received together, and applied to the objects designated in the will of said William Carter; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Charles Williams, Thomas Lippincott, Joseph E. Maule, William Kinsey, Edward Ritchie, Jesse Williams, Benjamin N. Pittfield and Joseph N. Stokes, or any other person or persons, in whom the legal title of said yearly rents charge is vested as trustees of the religious society of Friends, commonly called Quakers, of Philadelphia, for the northern district, and the survivor and survivors of them, be and they hereby are authorized and empowered to sell and dispose of, or release, extinguish, and forever discharge all or any of the said annual ground rents; and upon the receipt of the purchase money to convey, and assign or release, extinguish, and forever discharge the

said annual ground rent or ground rents, or any of them, to the purchaser or purchasers, or redeemers thereof, such purchasers or redeemers not to be required to look after the application of the purchase or redemption money; and said trustees to invest the proceeds thereof in other safe securities, to be held and applied by them to and for the purpose mentioned and expressed in the will of said William Carter, deceased.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 127.

AN ACT

To extend the act relating to the Selling of the Repairing of the Public Roads in certain townships in Schuylkill county, to Hazle township, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act relative to the selling of the repairing of the public roads in certain townships of Schuylkill county, approved the nineteenth day of January, one thousand eight hundred and sixty, and the supplement thereto, approved the first day of May, one thousand eight hundred and sixty-one, be and the same are hereby extended to Hazle township, in the county of Luzerne: Provided, That in lieu of the advertisement and notice therein required, notice shall be given by two weeks advertisement in one newspaper in the borough of Wilkes-barre, and by at least six written or printed notices in Hazle township, in the same manner as set forth in the said act.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 128.

AN ACT

Relating to Hawkers and Pedlers in the counties of York and Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly, approved the first day of May, one thousand eight hundred and sixty-one, entitled "A supplement to the acts relating to hawkers and pedlers in the counties of Delaware and Huntingdon," be and the same are hereby extended to the counties of York and Montgomery.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 129.

A SUPPLEMENT

To the act to incorporate the Kingsessing and Tinicum Meadow Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Kingsessing and Tinicum meadow company, at their next annual election, and annually thereafter, to elect fourteen suitable persons, members of said company, to be managers thereof, in lieu of the seven managers now authorized by law: *Provided however,* That two of said fourteen managers shall be elected from among the owners of freehold estates in each of the seven districts, which are now respectively entitled to one manager.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 130.

A N A C T

Relative to the claim of Thomas J. Keenan, Prothonotary of the Supreme Court for the Western District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general, the auditor general and the state treasurer be and they are hereby authorized and required to examine the claim of Thomas J. Keenan, prothonotary of the Supreme Court in the Western district, for services in transcribing, indexing and otherwise perfecting the records of the said court, under order of the court, on November thirtieth, Anno Domini one thousand eight hundred and fifty-nine; and after such examination, to allow him a reasonable compensation therefor, to be credited him in his accounts with the commonwealth.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 131.

A S U P P L E M E N T

To an act, entitled "An Act relative to the collection of Taxes in certain townships in Berks and Lancaster counties."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of August next, the provisions of the act of assembly, approved the thirty-first day of March, Anno Domini eighteen hundred and fifty-four, entitled, "An Act relative to the collection of taxes in certain townships in Berks and Lancaster counties," be and the same are hereby ex-

tended to the township of Ruscombmanor, in the county of Berks.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 132.

A SUPPLEMENT

To an act, entitled "An Act extending Pennsylvania avenue, in the city of Pittsburg, to the intersection of Ross and Fifth streets," approved the fourth day of May, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the word "individual," as used in the act to which this is a supplement, where the same directs the assessment of the damage upon the individuals to whom said opening shall be a benefit, shall be construed to mean all owners of property so benefitted, whether the same be private individuals or public, private or municipal corporations; and when any judgment shall have been obtained, or may be obtained against any corporation, the same shall be collected as other debts are now by law collectable from such corporations.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two,

A. G. CURTIN.

No. 133.

A N A C T

To incorporate the People's Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George R. White, John E. Parke, William F. Gardner, Daniel Wallace, Frank Van Gorder, William H. Kirkpatrick, James Gardiner, Samuel P. Shriver, James Robb, James Rees, W. S. Haven, John S. Lee, D. Hostetter, John Phillips, A. W. Loomis, John J. House, Edward House, Thomas B. Hamilton, James W. Baxter, C. Hanson Love, W. B. Haslett, D. H. Chambers and J. J. Robinson, of the city of Pittsburg, and county of Allegheny, are hereby appointed commissioners, who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the People's insurance company, to be located in the city of Pittsburg, with a capital of one hundred thousand dollars, with the privilege of increasing to two hundred thousand dollars; and said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 134.

S U P P L E M E N T

To an act to incorporate Saint Mary's Cemetery, in Allegheny county, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Saint Mary's cemetery, in Allegheny county, shall have power to sell, in fee simple, all its right, title and interest in and to the piece or parcel of land in Collins township, adjoining the cemetery enclosure, laid out in building lots, and known as the plan of lots laid out by Saint Mary's cemetery, bounded and described as follows, to wit: On the north by a street and Shænberger's land, on the south by Saint Mary's cemetery, on the east by lands of said Shænberger and the Allegheny cemetery, and on the west by lands of Daniel Donahoe and Saint Mary's avenue, containing ten acres strict measure; and conveyances of any of the said lots heretofore made by said cemetery shall be valid and effectual to vest in the purchaser or purchasers thereof, all the right, title and interest of said corporation in the lot or lots so conveyed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 135.

AN ACT

To extend the charter of the Granite Land Company of the city of Philadelphia.

WHEREAS, At a court of common pleas for the city and county of Philadelphia, held the fifth day of December, Anno Domini one thousand eight hundred and fifty-three, the Granite land company was duly incorporated by a decree of the said court, with power to purchase and hold a tract of land not exceeding fifty acres, agreeably to the constitution and laws of this commonwealth: Preamble.

And whereas, The period of time for which the charter of the said company was granted, will soon expire, and owing to the difficulties of the times, the said company has not been able to pay for and dispose of the land purchased by them, and the members thereof are desirous of having their charter renewed and extended, with proper alterations and amendments, so as to enable them to dispose of their property without loss; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Charter extended. the charter of the Granite land company be and the same is hereby renewed, extended and continued, for the further term of ten years, from and after the expiration of its present period of time, with the like powers, authorities and immunities as a corporation, or body politic in law and in fact, and by the same name, style and title as aforesaid; and that all matters and things, rights and privileges, belonging, or in any manner appertaining thereto, shall thereupon merge into the said renewed and extended charter, and be continued and conducted under the same, as fully, to all intents and purposes, as if the said present charter had originally been granted for the term of twenty years, with all the rights and privileges herein and hereby granted.

Authorized to issue additional stock or bonds. SECTION 2. That the said company, for the purpose of paying off and extinguishing the debts upon their land, are hereby authorized and empowered, in such way and manner, and at such times as the board of directors may determine, to issue and sell a sufficient amount of stock, in addition to the stock already issued, or bonds secured by a mortgage or mortgages, or not, as may be found most practicable or expedient, for the purpose of paying off and extinguishing the debts now existing against the said company.

May lease or sell any of their property, &c. SECTION 3. That the board of directors of said company shall have power to lease, sell, dispose of and convey, any of the property of the said company, either for cash or for mortgage, or upon ground rent, or for the stock, or evidences of indebtedness of said company; and to hold, dispose of, sell, assign and convey any securities taken for the purchase money of lots sold, and also to purchase, or acquire by exchange, such corners or strips as may be necessary to square their land with the streets, and make the same more saleable: *Provided*, That any sale or sales of land shall be first approved of and confirmed by a majority of the stockholders.

Additional privileges. **By-laws.** SECTION 4. That the board of directors of said company shall have power to make new by-laws, or to alter and amend the existing by-laws of said company, which by-laws shall specify and provide for the number of directors and officers, the times and manner of their election and continuance in office, the number of stockholders and directors necessary for a quorum at meetings, and other matters necessary and proper not contrary to the laws of this commonwealth or of the United States.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 136.

AN ACT

To amend and extend the charter of the Independent Mutual Fire Insurance Company of Philadelphia, Montgomery and Bucks counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Tomlinson, William B. Comly, George W. Rhawn, Watson Comly, Silas Tomlinson, John Smith, William Lukens, Jacob P. Tyson, Thomas Williams, George K. Heller, Casper Roads, Henry W. Ditman and Charles Robbins, and such other persons as are or may hereafter be associated with them, under the authority of this act, owners of property in parts of Philadelphia, Montgomery and Bucks counties, including the townships of Byberry, Moreland, Lower Dublin, Delaware, Bristol and Oxford, except the borough of Frankford, in Philadelphia; Northampton, Southampton, Bensalem, Middletown and Bristol townships, except the borough of Bristol, in Bucks county; Moreland, Abington, Cheltenham, Springfield, Upper Dublin and Horsham townships, in Montgomery county, their successors and assigns, are hereby made a corporation by the name and style of the Independent mutual fire insurance company, and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate, and the said corporation shall not hold any property, except what may be absolutely necessary for the transaction of their corporate business; nor shall any by-laws be enacted by said corporation, repugnant to this instrument, to the constitution of the United States or this commonwealth.

Corporators.

Title.

Powers.

SECTION 2. That the power of this association shall be vested in thirteen managers, to be chosen by ballot annually, on the first Monday of September, at an annual meeting of the company to be held, and each member to be entitled to one vote only, and that no proxy votes shall be given.

Election of managers.

SECTION 3. That each insurer in or with the said company, shall be a member thereof during the term of his or her policy, and no longer.

Insurers to be members.

SECTION 4. That the general meetings of this company shall be held annually, on the first Monday of September, at some convenient place, and also whenever called by the board of managers, or whenever requested by twenty members; and the members shall, at such general meetings, pass all by-laws, rules and regulations necessary for the well government of the affairs of the corporation, or vest the power so to do in the board of managers, and all elections shall be by ballot, each member entitled to one vote; the said election to be conducted by three judges, chosen by the members present for that purpose, who shall certify, under their hands, the result of said election, and the same shall be filed with the papers of the corporation; the

Meetings.

By-laws.

Mode of conducting elections.

Officers, agents, &c.	managers for the time being, shall choose from among their own members, one to be president, and shall from time to time as it may be necessary, choose a treasurer, also appoint a secretary, and such other agents and officers as may be necessary, and fix their respective fees and salaries, and require such bonds for the faithful discharge of the duties assigned as may be deemed necessary, or the interest of the company may require, and shall have full power to suspend, remove or displace any such officer or agent of the company, and supply any such vacancy, which may happen by death, removal or resignation, from among their own members, until the next election, and shall procure a book or books, wherein shall be fairly and legibly entered, all the transactions of said board of managers; which books shall at all times be open for the inspection of the members of said corporation, and a copy or copies thereof, signed by the president, and attested by the secretary for the time being, shall be deemed and taken as legal evidence against the said corporation, as the transactions of said board of managers, a copy of which shall be furnished at the request of any member; and said officer shall, at the annual meetings of the members, present to the company a general and detailed statement of its affairs.
Salaries and bonds.	
Vacancies.	
Record of proceedings.	
Insurances.	<p>SECTION 5. That the president and managers shall have full power, on behalf of said corporation, to make insurances against losses by fire, on any house, tenement, manufactory, barn or other buildings, and on goods, wares, merchandise and effects, and household furniture therein, and on hay, grain and other agricultural products in barns, stacks or otherwise, and generally on all kinds of goods, wares and merchandise and effects, except books of account, bills, bonds, ready money, jewels, plate, paintings, engravings, powder and powder mills, distilleries, print works, cotton, woollen and varnish manufactories; to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments, as shall or may be necessary, and as the nature of the case shall or may require; and every such contract, agreement and policy to be made by the said corporation, signed by the president, and attested and signed by the secretary, and also shall be signed by the party insured; and the president and managers are hereby empowered to have made, and to procure a seal, with such device as they may deem proper, to be used by them as the common official seal of the company.</p>
Seal.	
Dividends not to be declared.	<p>SECTION 6. That no money shall be drawn from the funds of the said company, for the purpose of making dividends or dividing profits, nor for other purpose, than first to defray the current or incidental charges of the corporation, and then for the purpose of paying such damages as any member of said company or insurer may be justly entitled to; and when the just demand of any insurer in said company or member thereof, shall exceed the amount of its available funds on hand, such sums as shall be necessary to pay the same, shall, without unnecessary delay, be assessed by any three of the managers appointed by the president, on the insurances; each member to pay in proportion to the amount he has insured, and publish the same; and all and every of the members of the company,</p>
Assessments for losses.	

shall pay into the hands of the treasurer, his, her or their proportionate parts of such rates, within sixty days after such publication as aforesaid, and in default thereof, shall be proceeded against, according to the provisions of this act.

SECTION 7. That in default of the payment of rates, as mentioned and provided by this act, it shall be lawful for the president, managers and company, to proceed and collect the same as debts of like amount are now collected by law, without stay of execution; and if any member shall refuse or neglect to pay his, her or their respective tax or assessment, for the space of sixty days from the time public notice is given, of the time and place for the payment of the same, his, her or their insurance shall be suspended, and his, her or their property shall not be protected by said company, until said tax or assessment is paid; and in the case of all delinquents, when a tax is laid or assessment made, and the sixty days having expired, the treasurer shall have power to collect, or to appoint one or more suitable persons to complete the collections, and ten per cent. may be added for compensation for collecting; public notice of this clause to be given, when advertising an assessment made, and how the same will be collected.

Effect of neglect or refusal to pay assessments.

Collection from delinquents.

SECTION 8. That all and every of the members of this company, who shall sustain any loss by fire, shall give notice in writing within ten days, to the president or secretary of said company, who shall appoint a committee of three from the board of managers, that shall examine and assess said damages, and report the same to the board of managers, within two weeks from the time of their receiving information of their appointment; and the said managers shall, with all convenient expedition, immediately after receiving said report, and ascertaining the sum which said parties shall be lawfully entitled to, make provision and payment as herein is specified; and in case any difference or dispute should arise between the insured and the officers of the company, concerning any loss or damage that may be sustained, all matters at variance may be submitted to the judgment and determination of arbitrators, indifferently chosen by the parties, in the usual way, and whose award in writing, signed by a majority of the arbitrators, shall be final and conclusive between the parties, otherwise the party aggrieved may have redress by law, as hereinafter mentioned.

Notice of loss to be given.

Assessment of damages.

Arbitrators may be chosen.

SECTION 9. That the members shall, at their general meetings, fix such rates of insurance, and incidental charges and fees, as may be deemed equitable and proper, or vest the power so to do in the board of managers; and any person who shall become a member of this corporation, by effecting insurance therein, shall the first time he effects insurance, and before he or she receives his or her policy, pay the rates that shall be fixed and determined upon, and no premium so paid, shall ever be withdrawn from said company, during the continuance of its charter.

Rates, fees, &c.

SECTION 10. That in case any insured, named in any policy or contract of insurance made by the said corporation, shall sell, convey or assign the subject insured, it shall be lawful for such assured to assign and deliver to the purchaser, such policy or contract of insurance, and such assignee shall have all the bene-

Transfer of policies.

Proviso. fits of such policy or contract of insurance, and may bring and maintain a suit in his or her own name: *Provided*, That before any loss happens, he or she shall obtain the consent of the president or secretary to such assignment, and have the same endorsed on, or annexed to such policy or contract of insurance, to be according to the aforesaid directions, for that purpose and not otherwise: *Provided further*, That the transfer or assignment be approved by the president or secretary, within thirty days from the time such assignment has been made.

Reservation. SECTION 11. That if at any time it shall appear that the chartered privileges hereby granted, are injurious to the public welfare, the power thereof to repeal, shall not affect any engagement to which the said company may have become a party previously thereto, and that the said company shall have a reasonable time to bring their accounts to a final settlement.

Board of managers constituted by this act. SECTION 12. That the first thirteen named persons in this act shall constitute the first board of managers, with power to organize the corporation, and appoint a president, and other officers and agents, agreeably to the spirit of this act, and to hold their power and authority until the next election, as is herein provided, with all the powers contemplated to be vested in the board of managers elected by the company, under the authority of this act.

Time for payment of losses. SECTION 13. That suits at law may be prosecuted and maintained by any member against the corporation, for loss or damage sustained by them on property insured, if payment is withheld more than ninety days after the company is notified of such loss or damage, and the amount of the same has been determined.

Limitation. SECTION 14. That this corporation shall confine its business within the counties of Philadelphia, Montgomery and Bucks, and within the limits hereinbefore mentioned: *Provided*, That the majority of the members present at any annual meeting, may have authority to extend their limits within the said counties, the intention so to do, being first advertised three weeks previous to such extension, by handbills, and advertisements in one newspaper in each of said counties, and not otherwise.

Proviso. JOHN ROWE,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 137.

A N A C T

To extend and perpetuate the Charter of the Machpelah Cemetery Society of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Machpelah cemetery society of Philadelphia, created and granted by an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act to incorporate the Machpelah cemetery society of Philadelphia," approved the fifth day of May, Anno Domini eighteen hundred and thirty-two, be and is hereby extended and made perpetual, with all the rights, powers, privileges and immunities mentioned and contained in the said act of assembly and thereby granted to the said Machpelah cemetery society of Philadelphia.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 138.

A N A C T

Repealing an act, entitled "An Act to extend the time for the completion of the Butler and Freeport Turnpike Road."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to extend the time for the completion of the Butler and Freeport turnpike road," approved March the twenty-second, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby repealed: *And be it further enacted by the authority aforesaid,* That the bridge at Freeport, Pennsylvania, over Buffalo creek, formerly belonging to and in charge of the Freeport and Butler turnpike company, be and

Repeal.

A certain bridge
at Freeport to be
a county bridge.

Commissioners
authorized to re-
build the same.

the same is hereby declared to be a county bridge, and that the commissioners of Armstrong and Butler counties be authorized to take charge of the same; and also, the said commissioners are authorized to subscribe a sum sufficient to re-build the said bridge, in connection with such sums as shall be subscribed by individuals.

Supervisors to
take charge of a
certain road.

SECTION 2. That said road is hereby made a state road, and the supervisors of the townships through which said road passes are hereby authorized to take charge of said road and keep it in repair as other roads are kept; and they are further authorized to take possession of all bridges, stone, timber and other appurtenances of said road.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 139.

AN ACT

Relating to Supervisors and Roads in Chartiers, Scott and Lower Saint Clair townships, Allegheny county, and Wiconisco township, in Dauphin county.

One supervisor
for each town-
ship.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of Chartiers, Scott and Lower Saint Clair townships, in the county of Allegheny, and Wiconisco township, in the county of Dauphin, shall on the third Friday in March next, and annually thereafter, elect but one supervisor of roads in each township.

Duties.

SECTION 2. That it shall be the duty of said supervisor to procure a book, in which he shall number and describe the public roads in said township by sections, and no section to exceed one mile in length, and shall distinctly specify therein the amount he shall deem necessary to keep in good order and repair each and every section of said public roads for the term of one year.

Allotment of con-
tracts for keep-
ing in order the
public roads.

SECTION 3. That the said supervisor shall, after having given at least ten days' public notice, by putting up not less than five advertisements in as many different public places within the said township, give out and allot, by public outcry, to the lowest

and best bidder, the contract for keeping in good order and repair any section or sections of the public roads in said township for one year: *Provided*, That the lowest sum bid does not, *Provide*, in the estimation of said supervisor, exceed the proper cost of the work necessary to be done: *And provided*, That the supervisor shall not, either directly or indirectly, bid or contract for any section or portion of the work under his supervision. *Provide*.

SECTION 4. That any contractor or contractors, to whom any section or sections of said roads may be given and allotted, shall write, or cause to be written, his or their name or names, respectively, in the supervisor's book, opposite to the section or sections so allotted and taken, together with the amount for which he or they may agree to keep in good order and repair said section or sections for one year. *Record of contracts.*

SECTION 5. That the supervisor shall visit and inspect all the public roads within said township, at least once in each and every month, and carefully note whether or not each and every contractor has fully complied with his or their terms of agreement. *Supervisors to inspect roads.*

SECTION 6. That all new roads now laid out, or hereafter laid out, shall be numbered and described in sections, and allotted to contractors to open the same, in the manner hereinbefore provided for the repair of public roads. *Provisions extended to opening new roads.*

SECTION 7. That it shall be the duty of the contractor or contractors for opening new roads, to commence work upon his or their section or sections, within ten days after signing his or their contract or contracts, and complete the same without delay; and if any contractor or contractors shall refuse or neglect to commence work on his or their section or sections, for ten days after signing the contract, or having commenced, if he or they shall refuse or neglect diligently to prosecute the work to completion; or if any contractor or contractors for repairing any section or sections of the public roads, shall neglect or refuse to put his or their section or sections in good order and repair for ten days after being notified by the supervisor to repair the same, it shall be the duty of the supervisor to open and repair, as the case may be, said section or sections, and the expense of opening or repairing said section or sections shall be charged respectively to said contractor or contractors so neglecting or refusing; and upon refusal of him or them to pay the same, said supervisor may proceed to collect the same as other debts of equal amount are by law recoverable, with costs of suit. *Duties of contractors.*

SECTION 8. That the auditors and supervisor in said township shall meet together annually on the second Monday of April, and at said meeting, or any adjournment thereof, shall fix the rates and amount of road tax to be levied for the current year; and in no case shall the supervisor, either by contract or otherwise, exceed the amount so levied, so as to involve the township in debt, nor shall he levy any additional tax without the consent of a majority of the auditors first had in writing approving of the same. *Auditors and supervisors to fix rate and amount of road tax.*

SECTION 9. That said supervisor shall receive as compensation for his services the sum of fifty dollars; and all former acts *Compensation of supervisors.*

Repeal.

or parts of acts as are inconsistent with the provisions of this act, be and the same are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 140.

AN ACT

Authorizing the qualified voters of Hempfield township, Westmoreland county, to elect two additional Supervisors.

Election of additional supervisors authorized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified voters of the township of Hempfield, in the county of Westmoreland, shall at the time and in the manner provided by law, elect six supervisors of roads in said township, instead of four, with the same powers, duties and responsibilities provided by existing laws.

The township to be divided into six districts.

SECTION 2. That the said supervisors first elected under the provisions of this act, shall divide said township into six separate districts, and that each district, in all subsequent elections for supervisors, shall be entitled to have one elected therein, and that each supervisor so elected shall be paid his compensation for his services by the district in which he resides.

Compensation.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 141.

A SUPPLEMENT

To the act incorporating the borough of Mifflintown, in the county of Juniata.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the election for borough officers shall be held on the third Friday of March, commencing with the present year, and that the election shall be held by the officers who hold the annual elections, and subject to the regulations of the general election law.

JOHN ROWE,
Speaker of the House of Representatives.
LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 142.

A N A C T

To change the place of holding the Elections in Reading township, Adams county.

WHEREAS, The present place for holding the elections in the township of Reading, in the county of Adams, has become inconvenient, and the voters thereof desire it should be changed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the general, special and township elections for the township of Reading, in the county of Adams, shall be held at the house now occupied by Robert M. Dicks, in the town of Hamton, in said county.

JOHN ROWE,
Speaker of the House of Representatives.
LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 143.

SUPPLEMENT

To an act, entitled "An Act authorizing an independent School District out of parts of Union and Snyder counties," passed the first day of May, Anno Domini one thousand eight hundred and sixty-one.

Time of holding election for directors and election officers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an election be held for six directors of the independent school district, formed by the act to which this is a supplement, and for judge and inspectors to hold the next annual election at the Union school house in said district, on the day next succeeding the day for holding the general township election in March, one thousand eight hundred and sixty-two, and annually thereafter, between the hours of one and six o'clock, P. M.

Officers appointed for holding the first election.

SECTION 2. That for the holding of said first election in March, one thousand eight hundred and sixty-two, John Moyer is hereby appointed to act as judge, and Jacob C. Ulrich and Adam Miller as inspectors; and that the judge of said first election, and the judge of each annual election thereafter, shall be required to give the same notice for holding said elections, as is now required by law to be given by the constables of the general township elections in March.

Notice.

Classification of directors.

SECTION 3. That the two persons who shall have the lowest number of votes for directors at the first election in March, one thousand eight hundred and sixty-two, shall serve for one year, and the two who shall have the next lowest number of votes, shall serve for two years, and the other two for three years, so that two new directors shall be elected each year, according to the provisions of the general school law.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 144.

AN ACT

To change the place for holding the Elections in the borough of Catasauqua.

WHEREAS, The elections of the borough of Catasauqua, in Lehigh county, are now held in the building occupied as an engine house by the Humane fire company:

And whereas, Said company object to the further use of said building for election purposes, and no court will intervene between this and the time fixed for holding the next borough election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all elections in said borough of Catasauqua shall hereafter be held at the public house now occupied by William H. Laubach, in said borough.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 145.

AN ACT

Relating to the election of members of the town council in the borough of Hollidaysburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the burgess and town council of the borough of Hollidaysburg shall have power to fill any vacancy which may occur therein, by death, resignation, removal from the district, or otherwise, until the next annual election for councilmen, when such vacancy shall be filled by electing a person to supply the same.*

Vacancies in council, how filled.

**Seats of members
absenting them-
selves may be de-
clared vacant.**

SECTION 2. That if any person duly elected a member of the town council of said borough shall refuse to attend a regular meeting of the board, after having received written notice from the proper officer to appear and enter upon the duties of his office, or if any person having taken upon himself the duties of his office as a councilman, shall neglect to attend any three regular meetings of the council in succession, unless detained by sickness, or to act in his official capacity when in attendance, the burgess and members of council present shall have power to declare his seat vacant, and to appoint another in his stead, to serve until the next regular election.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 146.

A N A C T

To divide the borough of Conemaugh, in the county of Cambria, in two wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the borough of Conemaugh, in the county of Cambria, shall be divided into two wards, as follows: All that part of said borough bounded by the canal basin on the north, Coal street and a line extending from the mouth and centre of said street to the basin on the east, Main street and the borough line on the south, and the canal feeder on the west, shall constitute the First ward; and all the remaining part of said borough, not embraced in the above boundaries, shall constitute the Second ward of said borough: *Provided,* That the said borough of Conemaugh shall be and remain a separate school district, as if this act had not been passed.

**Boundaries of di-
vision.**

**To remain a sepa-
rate school dis-
trict.**

Election districts

SECTION 2. That the said First and Second wards shall, from and after the passage of this act, form two separate election districts; and the qualified voters therein shall hereafter, separately, elect, on the third Friday in February in each year, one judge, two inspectors and one assessor, to conduct the general

Election officers.

and borough elections in said wards, and at such times as are directed by the existing laws of this commonwealth, one justice of the peace for each of said wards, and also all such other officers as are allowed to any borough, ward or township in said county of Cambria: *Provided*, That but one constable shall be elected for said borough.

SECTION 3. That for the purpose of holding and conducting the general election, to be held in October next, for the First and Second wards of the borough aforesaid, held under the provisions of this act, James Griffin is hereby appointed judge, and Robert H. Canan and John Cox inspectors for the said First ward, and John Headrick is hereby appointed judge, and C. Belfinger and James Snedden inspectors of the said Second ward; and in case a vacancy or vacancies shall occur in either of said election boards, by death, resignation or otherwise, the remaining members thereof, respectively, are hereby authorized to fill the same by appointment.

Justices.

Constable.

Officers appointed for holding the election in October next.

Vacancies.

SECTION 4. That in addition to the returns now required by law to be made, the officers of the election shall make a true and correct return, certified under their hands and seals, of all the votes polled for burgess, school directors, and such other officers as may be elected by general ticket throughout the borough; and on the Saturday next succeeding the day of election aforesaid, the judge of the election of each ward, or in case of his inability to act, then one of the inspectors or clerk of said election, shall meet at the usual place for the meeting of the town council, and shall then and there produce the returns so as aforesaid certified, and shall appoint some suitable person as clerk, who shall be sworn to perform the duties of his office with fidelity; and the said clerk shall, in the presence of said return judges, accurately and truly add together the number of votes which shall appear by said returns to have been given to any person or persons in respect to said offices or stations, and having certified the same under their hands and seals, shall cause the same to be deposited with the borough clerk for safe keeping and inspection; and they shall also make out, under their hands and seals, a certificate of the election of each of the officers aforesaid, which said certificate shall be served by the clerk appointed by them on the person thus elected, and for said service the said clerk shall be entitled to receive one dollar, which shall be paid out of the borough treasury.

Return judges, their duties.

Clerk.

Certificate of election.

Compensation of clerk.

SECTION 5. That it shall be the duty of the commissioners of the said county of Cambria to furnish to the judges and inspectors of each of the said wards, the same ballot boxes, blank forms, list of taxables, and all other papers, as are now furnished to the judges and inspectors of elections in said county.

Duty of commissioners.

SECTION 6. That all officers now holding office in said borough of Conemaugh shall continue to act as such until the expiration of their terms of office.

Present borough officers.

SECTION 7. That the house now occupied by Peter Malzi, in the First ward of said borough, shall be the place for holding the general, special and borough elections therein, and the house now occupied by John Headrick, in the Second ward of said borough, shall be the place for holding the general, special and borough elections in said ward.

Places of holding elections.

Repeal.

SECTION 8. That all laws and parts of laws inconsistent with the provisions of this act, be and the same are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 147.

AN ACT

Relating to the duties of County Commissioners in the county of Huntingdon, when acting as a Board of Revision.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the county commissioners of Huntingdon county, who were by the tenth section of the act twenty-seventh July, one thousand eight hundred and forty-two, and by the forty-first section of the act twenty-ninth April, one thousand eight hundred and forty-four, constituted a board of revision, be and they are hereby authorized to do and perform the duties of said board of revision, upon the same day, and at the same time and place of holding the appeals for the several townships in said county: Provided, That in every case where said county commissioners shall raise the price or valuation of any property, which they believe has been valued or reduced by the assessors too low, a notice of such increased valuation shall be given to the owner or owners, and in said notice fixing a day when an appeal for such cases will be held at the office of the county commissioners: And provided further, That any neglect or refusal heretofore or hereafter of said county commissioners, or board of revision, to make and publish a statement of the aggregate valuation and assessment made by each assessor, as required by the eleventh section of the said act of twenty-seventh July, one thousand eight hundred and forty-two, shall not invalidate or hinder the collection of any tax imposed by any law of this commonwealth.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 148.

AN ACT

To encourage the development of Coal and Mineral Lands in the counties of Huntingdon, Cambria and Bedford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where the owner or owners of coal or mineral lands, situate in either of the counties of Bedford, Cambria or Huntingdon, has or have obtained, or may hereafter obtain the right to construct a lateral railroad, under the act of assembly of fifth May, one thousand eight hundred and thirty-two, relating to lateral railroads, and the several supplements thereto, or may desire to construct such lateral railroad from the line of the established railroad of any incorporated company over his, her, or their own lands, it shall and may be lawful for any incorporated company in this commonwealth to aid such owner or owners, whether an individual, an association of individuals, or another incorporated company, by furnishing money, labor and materials, or either, or all them, for the construction of such lateral railway, sidings, et cetera, not exceeding three miles in length.

Owners of coal or mineral lands may be aided, by individuals or companies, in the construction of lateral railroads.

SECTION 2. That it shall be lawful for any incorporated company in this commonwealth, which shall agree to aid any individual, or association of individuals, or other incorporated company, in pursuance of the first section of this act, to take a mortgage upon such lateral railroad, its sidings, turnouts and appurtenances, and upon the real estate intended to be developed thereby, or upon either or all of them, to secure all advances of money, labor and materials, intended to be made within twelve months from the date of such mortgage, setting out clearly in such mortgage the purpose and intent for which it is given; and such mortgage shall be prior in lien to any incumbrance that may be entered between the recording of such mortgage and the expiration of twelve months from the date of the mortgage.

Mortgages authorized to be taken therefor.

SECTION 3. That within one month after the completion of such lateral railroad, or at the expiration of twelve months from the date of the mortgage, if such lateral railroad be not then completed, it shall be the duty of the president of the company mortgagee, to have recorded in the office of the recorder of deeds, and to file in the office of the prothonotary of the court of common pleas of the proper county, statements, verified by his oath or affirmation, setting forth the advances actually made, and the dates when made, of money, labor or materials, or either or all of them, intended to be secured by said mortgage, which statements shall be indexed by the recorder among mortgages, and by the prothonotary on the judgment docket; and at any time after such statements shall be so recorded and filed,

To have priority as liens.

Statements of advances made to be filed and recorded.

Effect of.

Proceedings
therein.

it shall be the right either of the mortgagee or mortgagees, or any lien creditor of the mortgagor or mortgagors, upon application to the court of common pleas, or any judge thereof in vacation, with notice to the mortgagee, when application is made by the mortgagor, and to the mortgagee and mortgagor, when application is made by lien creditor, upon cause shown, to have issued by order of said judge, or court, a *scire facias* upon such mortgage, to determine the amount actually advanced by such mortgagee, whether the same be then due and payable or not, which amount so ascertained shall stand as the amount of incumbrance, by virtue of said mortgage, upon the railroad or lands described therein, and may be collected by due process of law, at such time or times as the same may be made due and payable by the terms and conditions of said mortgage: *Provided*, That unless the statements hereinbefore provided for be recorded and filed as hereinbefore directed, such mortgage shall lose its lien, as against all lien creditors or *bona fide* purchasers subsequent to the date of such mortgage.

Provide.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate. .

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 149.

A FURTHER SUPPLEMENT

To an act to incorporate the Green and Coates Street Philadelphia Passenger Railway Company, approved the twenty-first day of April, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the proviso to the fifth section of the act of assembly, entitled "An Act to incorporate the Green and Coates Street Philadelphia Passenger railway company," and the first and second provisos to the act, entitled "A supplement to an act to incorporate the Green and Coates Street Philadelphia Passenger railway company," be and the same are hereby repealed; and that so much of any act of assembly as may, or might, be construed to give to any other railway company the right to run their cars upon the railroad of the Green and Coates Street Philadelphia Passenger railway company, without their consent, be and the*

same is hereby repealed: *Provided*, That the sixth section of the act, entitled "An Act to incorporate the Green and Coates Street Philadelphia Passenger railway company," shall not be in any manner affected by this act, but shall have the same force and effect and meaning as if this act had not been passed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 150.

A SUPPLEMENT

To an act making Front street and Peach Tree alley, in the village of Halifax, Public Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the supervisor of Halifax township, in the county of Dauphin, shall, within three months after the passage of this act, open Peach Tree alley, in the village of Halifax, to the uniform width of forty-feet, and the name of said alley is hereby changed from Peach Tree alley to Armstrong street; and should the said supervisor of Halifax township fail to open said street, according to the provisions of this act, he shall forfeit and pay to the treasurer of the school fund of said township of Halifax, the sum of one hundred dollars, which penalty shall be sued for by said treasurer before any justice of the peace in and for the county of Dauphin, and collected as other debts are by law collected.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 151.

AN ACT

To reduce the rate of payment for advertising delinquent tax-payers, and the collection of taxes in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after January first, one thousand eight hundred and sixty-three, the charge for advertising delinquent tax-payers of the city of Philadelphia shall not exceed fifteen cents for all advertising of each name in any one ward, which shall be payable by the person or persons liable for the tax, nor shall the same be inserted in more than two newspapers; and if the name of any person shall be so advertised after having paid their tax, the receiver shall pay the expenses thereof.

Rate of charge for advertising delinquent tax-payers fixed, &c.

Time of making returns of mercantile assessments.

Receiver of taxes to make weekly returns to the state treasurer.

Receiver authorized to proceed against delinquents for mercantile taxes.

Compensation.

Repeal.

SECTION 2. It shall be the duty of the mercantile appraisers of the city of Philadelphia, in making their returns of mercantile assessments to the receiver of taxes of said city, to make the said returns on or before the first day of April, one thousand eight hundred and sixty-two, and each and every year thereafter; and the said receiver be and he is hereby directed and authorized in and for the collection of this and all state taxes, to make, under oath, weekly returns thereof to the state treasurer; any and all delinquents of mercantile taxes, to be proceeded against by said receiver in the same manner and within the time prescribed by existing laws, under a penalty of fifty dollars for any neglect by said receiver; and the said receiver shall be allowed and shall receive for the collection of said taxes the compensation now allowed by law; any act or acts hereby altered or supplied, or that are inconsistent herewith, be and the same are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 152.

AN ACT

To incorporate the Little Beaver Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Agnew, Richard P. Roberts, K. L. Baker, Jacob Henrici, *Commissioners.* Jonathan Lenz, John White, John Barclay, Samuel G. Caughey, Samuel Smith, Jesse Smith and George Dawson, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and *Style.* title of the Little Beaver Valley railroad company, with all the powers, and subject to all the provisions and restrictions of an *Subject to.* act of the general assembly of this commonwealth regulating railroad companies, passed the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of three hundred thousand dollars, divided into shares of fifty dollars each, with the privilege of increasing the same to any amount not exceeding eight hundred thousand dollars. *Capital stock.*

SECTION 3. That the said company shall have the right to *Route.* construct a railroad from the Darlington Cannel coal railroad, in Beaver county, Pennsylvania, down the valley of the Little Beaver creek, in said county of Beaver, and Columbiana county, in the state of Ohio, to the Ohio river, at or near the mouth of said Little Beaver creek, with the right to connect with the Cleveland and Pittsburg railroad.

SECTION 4. That if the owners of the Darlington Cannel coal railroad shall at any time be willing to sell their said road and appurtenances, the said company may purchase the same, and if they deem it necessary, extend the same so as to connect with the New Castle and Beaver Valley railroad, at or near Homewood station, or the branch of said Beaver Valley railroad, at or near Darlington station, on the Pittsburg, Fort Wayne and Chicago railroad, or with any other railroad, at or near the above named points, that is now or may hereafter be completed. *May purchase the Darlington Cannel coal railroad and extend the same, &c.*

SECTION 5. That this act to take effect in the state of Pennsylvania from and after its passage; and that whenever the legislature of Ohio shall by law give their assent to, and confirm the provisions of this act, with such alterations and modifications, if any, as shall be necessary and applicable to that part of said road as aforesaid, lying within the limits of the *When this act to take effect.*

LAWS OF PENNSYLVANIA,

state of Ohio, then this act shall take effect and be in force in that state.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 153.

A SUPPLEMENT

To the act incorporating the New Holland Turnpike Road Company, passed the twentieth day of March, one thousand eight hundred and ten.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any person using or traveling on said road for any distance exceeding one fourth of a mile, except persons going from one part of their farm to another, shall be liable to pay toll for the same according to the usual rates, notwithstanding they do not pass through a gate; and if, upon demand to be made within ten days, they shall refuse to pay the same, it may be recovered in an action of debt, before a justice of the peace, as debts of like amount are now recoverable by law.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 154.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Big Spring and Beaver Valley Turnpike Company," passed on the eleventh day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the said company are hereby authorized to borrow such sum or sums of money as they may deem necessary to pay the debts of the said company, not exceeding three thousand dollars, and execute obligations for the payment of the same, signed by the president and countersigned by the secretary; such obligations to be binding on their successors in office; and the board of managers for the time being, shall have power to apply a portion of the tolls collected on the said road to the payment of the money so borrowed, and the interest that may accrue thereon.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 155.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to authorize the erection of a Poor House by the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne," approved May eighth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of the further supplement to the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne, above recited act, passed twenty-seventh day of March, one thousand eight hundred and sixty, be declared to be that the township of Lackawanna shall become and be a part of the poor district of Lackawanna township made part of a certain poor district.

- Subject to.** district in said act mentioned, shall be entitled to all the immunities and privileges enjoyed by the said corporation or poor district, and be subject to all assessments of taxes and liabilities with the other townships and borough named in said act, and forming said poor district, from the time the said township of Lackawanna was admitted into and became part of said poor district by the directors thereof; and the security required to be given by the overseers of the poor of the township of Lackawanna, by the first section of the said further supplement, may be either personal, or by the officers of the said township of Lackawanna officially; and all assessments or levies of taxes, made in pursuance with said supplement, or herewith, are hereby declared legal.
- Security to be given by overseers.** SECTION 2. That the directors of the poor for the district aforesaid, may appoint one or more collectors of taxes, to collect the taxes in said district; the number of collectors, however, in no case to exceed the number of townships and boroughs in said district.
- Directors to appoint collectors of taxes.** SECTION 3. That the directors of the poor of said district shall have power, annually, as soon as practicable after the return of the county assessments, to lay a rate or levy, not exceeding one cent on the dollar in any one year, upon all trades and occupations, real and personal estate, and all other property within the said district, which is or may be subject to county rates and levies, for the purposes of said corporation or poor district, to be levied upon the last adjusted valuation; and having caused one or more duplicates of such tax or levy by them levied to be made, which shall be signed by them, to issue their warrant or warrants to the collector or collectors of such tax, authorizing and requiring him or them to demand, receive and collect, from every person or corporation therein named, the sum wherewith such person or corporation stands charged, in the same manner and by the same process county taxes are now by law collectable; and for the purpose of more effectually carrying the provisions of this act into effect, the term of office of the present directors of said district is hereby extended for one year, from the period when their terms of office respectively would expire.
- Tax to be levied.** SECTION 4. That no person shall be entitled to vote for directors of the poor of said district, except he be an elector, duly qualified to vote for members of assembly, and in addition thereto shall have paid all assessments and taxes which shall have been assessed and levied against, or in his name, for the uses and purposes of said poor district.
- Collection.** SECTION 5. That the directors of the said poor district are hereby authorized and empowered, to agree and contract with the overseers of the poor, or other persons having the charge and care of the poor of any township or borough in the county of Luzerne, not in said district, for the care and support of the poor of said township or borough, at the house and on the farm of the said district, whenever the number of poor of said district is so small as that the same can be done without inconvenience; the said poor from the other townships and boroughs, so taken, to be treated and cared for in all respects the same as those properly chargeable and belonging to said district; and
- Official term of directors extended.**
- Qualifications of voters for directors.**
- Contract with overseers of other townships or boroughs, for support of poor, authorized.**

the charge and account for taking care of the said poor of the said townships and boroughs, may be collected of the said townships and boroughs, in the same manner that debts are now by law collectable from townships and boroughs.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 156.

A SUPPLEMENT

To an act to change the name of the Milton Saving Bank, and for other purposes, approved March eighth, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Milton Bank be and is hereby authorized to deposit the bonds or evidences of debt of this commonwealth, or of the United States, with the auditor general, in the manner and for the purposes prescribed by an act, entitled "A supplement to an act to establish a system of free banking in Pennsylvania," approved May first, A. D. one thousand eight hundred and sixty-one; and upon receiving the same, the auditor general shall procure circulating notes in blank, in the manner, style, and subject to the limitations prescribed in said act of May first, one thousand eight hundred and sixty-one, and deliver the same to the said Milton Bank for issue and circulation; the amount of the said notes, of the denomination of one, two and three dollars, not to exceed forty per cent. of their capital stock.

Authorized to deposit bonds, &c., with auditor general.

Circulating notes

SECTION 2. That the second section of the act to which this is a supplement, approved the eighth day of March, Anno Domini one thousand eight hundred and sixty-two, is hereby repealed.

Repeal of a certain section.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 157.

A FURTHER SUPPLEMENT

To an act revising the Charter of the municipal corporation of the city of Reading, passed the thirteenth day of March, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever a vacancy or vacancies shall occur in the office of controller of the Reading school district, by death, resignation, or in any other manner than by the expiration of the term for which any controller was elected, so that more than two controllers must be elected on the third Friday in March, in any ward of said city, the qualified voters of such ward, in addition to the one controller to be voted for by each elector, to serve for three years, shall vote for one person to fill each of such unexpired terms, by designating upon the ticket to be voted, the number of years for which such controller is elected: *Provided, That* each elector shall vote for but one person to fill such unexpired term; and if there should be two vacancies for the same term, the two candidates having the highest number of votes shall be declared elected; and if there should be but one vacancy for any unexpired term, then the candidate having the highest number of votes for said term, shall be declared elected.

Vacancies in office of controller, how filled.

Provide.

Councils to elect two commissioners of highways.

SECTION 2. That hereafter it shall and may be lawful for the select and common councils of the city of Reading, in joint convention, at the stated meeting on the Wednesday next succeeding their election, to elect, for the term of one year, two commissioners of highways, instead of one, as is provided by the thirty-first section of the act to which this is a supplement.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 158.

AN ACT

To establish a Rope Ferry across the Susquehanna river, at Laceyville, Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William B. Thompson, his heirs and assigns, are hereby authorized and empowered to construct a rope ferry across the Susquehanna river, at the village of Laceyville, in the county of Wyoming, together with suitable roadways and landings therefor, leading from the Main street, in said village, across the land of said Thompson, to said river, and across the same, and to put on and keep in repair sufficient boats, skiffs and fixtures, for the keeping up and carrying on of said ferry; and the said Thompson, his heirs and assigns, are further authorized and empowered to keep up and continue the same in operation, and to collect and receive from all persons using or crossing at the same, such fees, charges or emoluments as may be just and proper, according to the customs of such ferries, and the laws of the state; to have and to hold to him, the said Thompson, his heirs and assigns, the franchises above granted, and all other rights and franchises belonging, appertaining, or incident to incorporated ferries in this commonwealth: *Provided*, That nothing in this act shall be so construed as to invest the said William B. Thompson, his heirs or assigns, with the right to receive or discharge any travelers, cattle or carriages on land belonging to any other person or persons, without the consent of the owner or owners of said land, or to prevent any future legislature from resuming the privileges hereby granted.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 159.

AN ACT

To prevent the destruction of Trout in certain counties.

Catching or killing trout in certain counties prohibited.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall not be lawful for any person or persons to take, catch or kill any trout in any of the streams or ponds of water in the counties of Erie, Crawford, Warren, Lycoming, Clinton, Union and Snyder, by means of spears, gigs, baskets, seines, nets or snares, or trap of any kind whatever, or by means of lime or other poisonous substance:

Penalty. *Provided, That it shall be lawful for any person or persons to take, catch or kill any trout in any of the said streams or ponds of water, by angling, between the first day of May and fifteenth day of September, in each year, and at no other period and in no other way.*

SECTION 2. That any person or persons violating the previous section of this act, shall forfeit and pay the sum of five dollars for every offence, to be recovered before a justice of the peace, by an action of debt, in the name of the commonwealth; said sum of five dollars to be for the use of the overseers of the poor for the township in which the offence shall have been committed, and the informer shall be a competent witness in said action.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 160.

AN ACT

For the relief of Samuel Anderson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the court of common pleas of Erie county is hereby authorized and required, on the application of Samuel Anderson, of Fairview township, in the county of Erie, to appoint viewers to appraise the damages done to the said Samuel Anderson, by the taking away of the water which originally supplied his grist and saw mill, situated on the north side of the Erie canal company's canal, whether said damages accrued at the time of the construction of said canal, or since; and that all proceedings for the above purpose, under this act, shall be in accordance with the provisions of the eleventh section of the act of February nineteenth, one thousand eight hundred and forty-nine; the costs of said proceedings to be paid by the party against whom the award is made, and the damages assessed by the said viewers to be paid by the said Erie canal company, within three months after confirmation of said report.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

*APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 161.

A N A C T

Relating to Hawkers, Pedlers and Retailers in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, no person or persons shall sell or expose to sale, within the county of Bucks, as a hawker, pedler or traveling merchant, any foreign or domestic goods, wares or merchandise, under the penalty of fifty dollars for each and every such offence; and no person or persons shall sell or expose to sale, within the said county, any foreign or domestic goods, wares, merchandise, commodities or effects of whatsoever kind or nature, unless he, she or they shall keep a store, shop, yard, or other fixed place for the purpose, where the same shall be sold, or exposed to sale as aforesaid, under the penalty of fifty dollars for each and every such offence: *Provided,* That the provisions of this act shall not be construed to apply to persons carrying goods, &c., for wholesale purposes, or to persons vending or disposing of articles of their own growth, produce or manufacture.

Hawking, retailing, &c., prohibited.

Penalty.

Proviso.

Proceedings before justices of the peace.

Arrest.

Imprisonment.

Repetitions to be punished as new offences.

Fines, how applied.
Informer may be witness.

Appeal.

Repeal.

SECTION 2. It shall be the duty of any justice of the peace of the said county, on the information or complaint, on oath or affirmation, of any constable or other person, to issue a warrant against any person for violating the provisions of this act, for the immediate arrest of such person, and bringing of him or her before the said justice, who shall proceed and hear the case in a summary manner, and if upon conviction, such offender shall not immediately satisfy the amount of the penalty aforesaid, with costs, or produce sufficient goods and chattels whereof the same may be levied, the said justice shall commit him or her to the common jail of the said county, there to be detained until discharged by due course of law; and no mere defects of form, not affecting the merits of the case, shall be held to invalidate the proceedings before such justice.

SECTION 3. Any repetition of an offence against the provisions of this act, shall be considered and punished as a new offence; and one-half of the penalties which may accrue under the said act, shall go to the informer, and the other half to the county of Bucks; and any such informer, whether a constable or other person, shall, notwithstanding his interest, be a competent witness: *Provided*, That in any conviction under this act, the defendant may appeal to the court of common pleas for the county of Bucks, by first giving bail absolute for the payment of the penalty, and all costs accrued and legally to accrue, in double the amount thereof, in the event of final judgment being rendered against such defendant.

SECTION 4. That so much of the first section of the act of assembly, passed the twentieth day of April, one thousand eight hundred and fifty-four, entitled "An Act relating to hawkers and pedlars, &c.," be and the same is hereby repealed, so far as relates to the county of Bucks.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 162.

AN ACT

To annul the Marriage Contract between George Parkin and Caroline Parkin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the marriage contract entered into between George Parkin, and Caroline Parkin, his wife, late of the county of Schuylkill, on the fourth day of November, Anno Domini one thousand eight hundred and fifty-two, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties, rights and obligations arising therefrom, as fully and effectually, and absolutely in all respects as if they had never been joined in marriage.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 163.

A N A C T

To change the width of York street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of York street, as lies between Richmond street and the Aramingo canal, in the Nineteenth ward, be changed to the width of fifty feet, and to conform to the width of the bridge over said canal; and all acts of assembly contrary to this act, be and the same is hereby repealed.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 164.

AN ACT

To provide for the destruction, and to prevent the spread of Canada Thistles.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

All persons and corporations holding lands, by lease or otherwise, required to destroy Canada thistle growing thereon.

Penalty for neglect or refusal to comply.

Remedy for persons aggrieved by failure of others to destroy the same.

every person or persons, and of every corporation holding lands in this commonwealth, either by lease or otherwise, on which any Canada thistles, or weed commonly known as Canada thistle, may be growing, to cut the same, so as to prevent such weeds or thistles from going to seed, and the seed of the same from ripening; and any person or persons, or corporation as aforesaid, who shall or may have land as aforesaid, in the said counties, and who shall neglect or refuse to comply with the provisions of this act, shall forfeit and pay a fine of fifteen dollars, one-half to the county treasurer, and the other half to the use of the person suing for the same, who shall be a competent witness to prove the facts, to be recovered as other debts of the like amount before any justice of the peace, or in any court of record in said county.

SECTION 2. That if any person or persons, or corporation, so holding land as aforesaid, on which Canada thistles, or the weeds commonly known as such, shall be growing and likely to ripen seed thereon, shall neglect or refuse to cut and destroy the same, so as to prevent the seed thereof from ripening, it shall and may be lawful for any person or persons, who may consider themselves aggrieved, or about to be injured by such neglect or refusal, to give five days' notice in writing to such person or persons, or corporation, to cut and destroy such weeds or thistles; and on their neglect or refusal to cut and destroy the same at the end of five days, it shall and may be lawful for any person or persons so aggrieved, or believing themselves about to be injured thereby, to enter upon, or hire other persons to enter upon such premises, and cut down and destroy such Canada thistles; and the person or persons so employed, shall be entitled to recover from such person or persons, or corporation, owning or holding such land, compensation at the rate of two dollars per day, to be sued for and recovered as debts of like amount, before any justice or court in said counties.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 165.

AN ACT

To restrain and prohibit the erection or construction of Frame or Wooden Buildings in certain parts of the city of Reading, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, no person shall erect or construct a frame or wooden building, upon any lot or lots of ground, between Penn street and Cherry alley, and Penn street and Liberty alley, between Sixth and Seventh streets, in the city of Reading, county of Berks, and commonwealth of Pennsylvania. The erection of frame buildings, within certain limits, prohibited.

SECTION 2. Any person, who shall, in violation of the provisions of the first section of this act, erect or construct a frame or wooden building, within the limits aforesaid, shall be deemed guilty of a misdemeanor, and on conviction thereof, in the court of quarter sessions of the peace of said county of Berks, shall pay a fine not exceeding five hundred dollars, at the discretion of said court, and costs, and remove said building or buildings. Penalty for violation.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 166.

A SUPPLEMENT

To an act to perfect the Charter of the United Lutheran Reformed congregation of Selinsgrove, approved the twenty-eight day of February, Anno Domini one thousand eight hundred and forty-five.

WHEREAS, The Reformed congregation of Selinsgrove, in the county of Snyder, have sold out all their right, title, interest and property in and to the real estate heretofore held by the Old Lutheran and Reformed congregation, as tenants in common, to the Lutheran congregation; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the said Lutheran congregation shall be known by the name, style and title of the First Lutheran congregation of Selinsgrove.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 167.

AN ACT

To repeal an act, entitled "An Act to extend the provisions of the act relating to the selling of the repairing of the Public Roads in certain townships in Schuylkill county, to the township of Washington, in said county," approved the twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, entitled "An Act to extend the provisions of an act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, to the township of Washington, in said county," approved the twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby repealed, so far as the same relates to the said township of Washington, and that the law as existing in said township prior to the passage of the act, hereby repealed, is hereby revived.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 168.

A N A C T

Authorizing the School Directors of Wellsboro', in the county of Tioga,
to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the school directors of the district of Wellsboro', in Tioga county, and their successors in office, be and they hereby are authorized and empowered to borrow money, at such times and in such sums as they may think proper, in all not to exceed one thousand dollars, and at a rate of interest not exceeding seven per centum, the same to be applied to the payment of the purchase money due on real estate purchased by said directors for school purposes, and of sums due for erecting suitable buildings thereon, and otherwise improving the same; and to issue a bond or bonds, or execute a promissory note or notes therefor, of not less than fifty dollars each, and to renew the same from time to time, and the same and any and all renewals thereof to secure by a mortgage upon the real estate purchased by or belonging to the said district, or otherwise; said bonds, notes or mortgages to be executed by the president, and attested by the secretary of the board, in such manner as the said board of directors may determine.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 169.

A N A C T

Relating to Co-Partners and Joint Debtors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Co-partners, in firms dissolved, may make separate compromises with creditors.

Effect of.

Note or memorandum of exoneration to be taken.

May be given in evidence and discharge judgments.

Compromise with one co-partner not to discharge the others.

Proceedings against other members of firm.

The discharge of any co-partner to be deemed a payment, equal to his proportionate interest in the firm.

Co-partners compromising to be liable for rateable portion of partnership debt

Provisions of this act extended to joint debtors.

whenever any co-partnership firm shall be dissolved by mutual consent, or otherwise, it shall and may be lawful for any one or more of the individuals, who was or were embraced in such co-partnership firm, to make a separate composition or compromise with any one or all of the creditors of such co-partnership firm; and such composition or compromise shall be a full and effectual discharge to the debtor or debtors making the same, and to them only, of and from all and every liability to the creditor or creditors with whom the same is made or incurred, by reason of his or their connection with such co-partnership firm, according to the terms of such compromise.

SECTION 2. That every such debtor or debtors making such composition or compromise, may take from the creditor or creditors with whom he may make the same, a note or memorandum in writing, exonerating him or them from all and every individual liability incurred by reason of such connection with such co-partnership firm, which note or memorandum may be given in evidence by such debtor or debtors, in bar of such creditor's right of recovery against him or them; and if such liability shall be by judgment in any court of record in this state, then on a production to and filing with the clerk of such court, the said note or memorandum in writing, lawfully acknowledged, such clerk shall discharge such judgment of record, so far as the said compromising debtor or debtors shall be concerned.

SECTION 3. That such composition or compromise with an individual member of a firm, shall not be so construed as to discharge the other co-partners, nor shall it impair the right of the creditor to proceed against the members of such co-partnership firm as have not been discharged; and the member or members of such co-partnership firm so proceeded against, shall be permitted to set off any demand against said creditor or creditors, which could have been set off had such suit been brought against all the individuals composing such firm; nor shall such compromise or discharge of an individual of such firm, prevent the other members from availing themselves of any defence that would have been available had not this act passed, except that they shall not set up the discharge of one individual as a discharge of the other co-partners, unless it shall appear that all were intended to be discharged: *Provided*, That the discharge of any such co-partner shall be deemed a payment to the creditor, equal to the proportionate interest of the partner discharged, in the partnership concern, unless he shall have paid more than his proportioned interest, in which event, the full amount paid by such discharged debtor shall be credited.

SECTION 4. That such compromise or composition of an individual of a firm, with a creditor of such firm, shall in nowise affect the right of the other co-partners to call on the individual making such compromise, for his rateable portion of such co-partnership debt, the same as if this law had not been passed.

SECTION 5. That the above provisions in reference to co-partners of a firm, shall extend to joint debtors, who are hereby authorized, individually, to compound or compromise for their joint indebtedness, with the like effect in reference to creditors

and joint debtors of the individuals so compromising, as is above provided in reference to co-partners.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 170.

A N A C T

Supplementary to the several acts in relation to the Green Ridge Improvement Company.

WHEREAS, By virtue of certain proceedings in the district Preamble. court for the city and county of Philadelphia, and of several testatum writs of execution, issued out of the said court, the whole of the real estate of the Green Ridge improvement company, situate in the county of Northumberland, together with the franchises belonging to said company, has been sold and conveyed, by the sheriff of Northumberland county, to Charles L. Borie, of Philadelphia :

And whereas, Certain other persons have an equitable interest in the said purchase, and all the parties interested have agreed upon the basis upon which the company shall be re-organized ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the parties interested in the said purchase, to wit: George H. Re-organisation. Boker, Wm. L. Schaffer, Wm. Kirkham, J. Bausman, J. S. Corporators. Dougherty, J. W. Field, Wm. Wister, E. Morrall, Jno. Devereux, A. E. Borie, Charles L. Borie, Henry P. Borie, Pemberton Hutchinson, Charles W. Churchman, Clarence H. Clark, Geo. H. Thompson, P. R. Howard, John M. Malloy, Wm. Chancellor, W. S. Boyd, their successors, associates and assigns, be and they are hereby invested with all the corporate powers, privileges and franchises heretofore granted to and conferred upon the said, the Green Ridge improvement company ; and Name changed. the corporate name of the said company shall hereafter be the Green Mountain coal company, and the capital stock of said Capital stock. company shall be two hundred and fifty thousand dollars, divided into fifty thousand shares, of five dollars each.

- Present directors and officers to continue.** SECTION 2. That the present directors and officers of the Green Ridge improvement company shall continue as directors and officers of the Green Mountain coal company, until the next annual election, which shall take place on the second Tuesday in May next, at the office of the company in Philadelphia, and of which election ten days' notice shall be given in one newspaper published in the city of Philadelphia, and also in one newspaper in the county of Northumberland.
- Annual election.**
- Charles L. Borie authorized to convey the property held by him as purchaser** SECTION 3. That the said Charles L. Borie is hereby authorized to convey to the said corporation all of the property, estate, rights and franchises purchased by him, in the manner set forth in the preamble to this act, for the sum of two hundred and fifty thousand dollars, and to receive in payment therefor the fifty thousand shares of the capital stock of the said company, hereby authorized to be issued; and in case the said Charles L. Borie shall make the conveyance, and receive the said shares of stock as aforesaid, he is hereby authorized and required to transfer to each of the present stockholders of the Green Ridge improvement company, the same number of shares of the stock of the Green Mountain coal company, that such person may hold of the stock of the Green Ridge improvement company:
- Terms of transfer.** *Provided*, That no such transfer shall be made, unless the holder of said stock shall pay, or offer to pay, to the said Charles L. Borie, within thirty days after notice of the passage of this act, one dollar for each share to which said person may be entitled:
- Proviso.** *And provided further*, That the said notice may be given personally, or by letter sent by mail to the residence of the said stockholder.
- Proviso.**
- Directors to make assessments.** SECTION 4. That it shall be lawful, when requested in writing so to do, by persons holding at least three-fourths of all the stock of said company, for the directors thereof to make an assessment, not exceeding fifty cents on each share of said stock, for the purpose of opening coal mines, constructing railroads, and otherwise improving the lands of the said company, and for the payment of taxes and other necessary expenses; and for the non-payment of the said assessment, upon due notice, the shares held by a defaulting stockholder may be forfeited: *Provided*,
- Purposes of.** That the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years: *Provided also*, That this company shall not have the privilege to mine or sell coal.
- Non-payment.**
- Individual liability.**
- Limitation.**
- Mining and selling coal prohibited.**

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 171.

AN ACT

To incorporate the Methodist Episcopal Church, in Bellefonte.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the Methodist Episcopal church, of the borough of Bellefonte, in the county of Centre, be and they are hereby constituted and formed into a body politic and corporate, in deed and in law, by the name, style and title of the Methodist Episcopal church, in Bellefonte, and by the same name to have perpetual succession, and to be able to sue and be sued, plead and be impleaded, in all courts of law and elsewhere, and shall be able and capable in law and in equity, to take and to hold, lands and tenements, goods and chattels of whatsoever nature, kind and quality, real, personal or mixed, which are now or hereafter shall become the property of said Methodist Episcopal church, in Bellefonte, by gift, grant, bargain, sale, conveyance, assurance, will, devise, bequest or otherwise, by any person or persons capable of making the same; and the same to grant, bargain, sell, convey, mortgage, improve and dispose of, for the use of said church: *Provided*, That the yearly income of real and personal estate of said corporation shall not at any time exceed three thousand dollars, and shall not be appropriated to any other than benevolent or religious uses: *And provided also*, That no sale of any real estate belonging to said corporation, or which shall hereafter become the property of said corporation, shall be lawful, unless such sale shall have been approved by a majority of the male members of said corporation, called for the purpose, notice of which meeting shall have been publicly given from the pulpit on the Lord's day, at least one week previous; a record of the proceedings of which meeting shall be kept by the secretary of the board of trustees, in a book containing the records of said trustees' meetings.

Incorporation.

Name.

Privileges.

Yearly income.

Sale of real estate.

SECTION 2. That the temporal affairs of said corporation shall be managed by nine trustees, five of whom shall constitute a quorum for the transaction of business; said trustees shall be elected as hereinafter provided; the following named persons shall be trustees, to wit: Thomas Burnside, William M'Clelland, John T. Johnston, William S. Tripple, William Schrock, Hiram Crosthwaite, Robert Cassidy, Joseph Twitmire and William Gabagnn, from and after the passage of this act, until the first day of January, one thousand eight hundred and sixty-three, and until the first election shall have been held under this act, on which day the male members of said corporation shall elect by ballot, nine trustees, three for three years, three for two years, and three for one year; the term of service to be designated by the electors on their ballots, and their places, respectively, shall be supplied by the annual election on the first

Management.

Trustees.

Annual election.

Saturday of January, of three persons to serve for three years; and if said corporation neglect on said day, annually, to hold their elections as is hereinbefore directed, the said corporation shall not be dissolved, but a majority of the trustees may appoint any subsequent day on which the election may be held, according to the provisions of the third section of this act.

Place of holding elections. SECTION 3. That all elections for trustees under this act, shall be held in the house of worship used and occupied as such at the time by said corporation, and notice of such election shall be given publicly from the pulpit on the Lord's day, immediately before or after divine service, by the minister officiating, or by some other person, at least one week previous to the time of holding such election.

Qualifications of trustees and voters. SECTION 4. That no person shall be eligible as a trustee of said corporation, who is not at the time of his election a resident of the state of Pennsylvania, over twenty-one years of age, and who shall not have been for at least one year next preceding his election a member of said church, nor shall any person hold and exercise the office of a trustee after he shall have ceased to be a member of said church; and no person shall be entitled to vote at any election for trustee, or at any other election held under this act, except the male members of said Methodist Episcopal church, in Bellefonte, over the age of twenty-one years, and in full connection with said church.

Officers. SECTION 5. That the trustees shall, within ten days after election, meet and organize by electing from among their number a president, a secretary, and a treasurer, to serve the ensuing year: *Provided*, That the said trustees may at any time remove any of said officers, and elect others, when in their opinion the interests of the corporation require it.

Vacancies. SECTION 6. That if any vacancy shall occur in the board of trustees, by reason of death, or from any other cause, the vacancy or vacancies shall be supplied by the remaining trustees, until the next annual election.

By-laws. SECTION 7. That the board of trustees and their successors, shall have power to enact and enforce such by-laws, ordinances and rules of order, as may be proper and necessary for the transaction and regulation of the business of said corporation: *Provided*, That such by-laws, ordinances and rules of order, shall not conflict with the constitution and laws of this state, or of the United States, nor with the doctrine and discipline of the Methodist Episcopal church in the United States.

Membership. SECTION 8. That any and all persons who shall hereafter become members of the Methodist Episcopal church of the borough of Bellefonte, shall, while they continue to be members of said church, be entitled to all the privileges, and subject to all the restrictions, as those who are members of said church at the passage of this act, saving to every member the right to withdraw from said corporation at any time.

Title to real and personal estate, &c., vested. SECTION 9. That the title to all real and personal estate and pledges, now held, owned or possessed, in trust or otherwise, by trustees, for the use of the said Methodist Episcopal church of Bellefonte, at and immediately before the passage of this act, be and is hereby absolutely vested in the corporation created by this act; and the said corporation shall be liable for all debts

due, owing or payable, in like manner as if said debts had been created after the passage of this act.

SECTION 10. That the trustees of said corporation shall have Seal. a seal, with an appropriate inscription, and shall keep a book, in which shall be transcribed a copy of this act, and a copy of all by-laws, ordinances and rules of order hereafter passed by them, and also a record of the proceedings of all meetings of said trustees, and of all business meetings of said corporation, which shall at all seasonable hours be open for inspection, upon demand made by any member of the corporation. Record of proceedings.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 172.

SUPPLEMENT

To an act incorporating the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever a vacancy shall occur in the office of mayor of said city, by death, resignation, removal from the city, or otherwise, it shall be lawful for the councils of said city, in joint convention met, to fill said vacancy by the election of a legally qualified citizen thereto; and such appointment, so made, shall continue until the next annual election for city officers, unless a vacancy should again happen in the meantime; and such vacancy shall be filled at the first regular meeting of said councils after it shall have happened: *Provided*, That said convention may adjourn from time to time not exceeding one week: *And provided further*, That no member of either branch of said councils shall be eligible to fill such vacancy. Vacancies in office of mayor, how filled.

SECTION 2. That the mayor and councils of said city shall have power to pass all needful ordinances, resolutions, rules and regulations, for the preservation of the peace of said city, for the regulation or prevention of the erection of all buildings or constructions for the carrying on of any trade, manufacture or business that in their opinion may be hurtful to the health or dangerous to the safety of the citizens, and to remove the same; for the regulation of the sale of all articles of produce offered What ordinances, regulations, &c., may be passed by councils.

for sale in the markets in said city; for the defining of the bounds of said markets and the regulation thereof; for the providing of stands for the sale of wood, hay, meat and other produce, and for the appointment of measurers and inspectors thereof, and of clerks of said markets; and to regulate the times, terms and prices at which persons may use and occupy said markets and stands; and they are hereby required to pass all ordinances necessary to prevent the running at large of hogs, goats and geese in the streets and squares of said city, and to provide for the taking up and selling of said hogs, goats and geese, and for their destruction, if needful and necessary to prevent their running at large in said city; they shall also have power to provide for the abatement of all nuisances in said city, and to define what shall be considered a nuisance; they shall also have power to fix the hour at which all places for the sale of intoxicating liquors, whether distilled or fermented, in said city, shall be closed in the evening; and shall also have power to authorize the mayor to close all places at which such intoxicating drinks are sold, whenever, in his opinion, the public peace and safety require it, for such time as he shall deem expedient, not exceeding forty-eight hours; and they shall have power to prescribe what penalties shall be imposed on any person or persons violating any ordinance, resolution, rule or regulation enacted under the powers and authorities prescribed by this act.

Penalties.

Office of high constable abolished.
Person to attend meetings of councils.

Compensation.

Removal of nuisances, cost of, &c.

SECTION 3. That the office of high constable is hereby abolished in said city; and the councils are authorized to appoint one person to attend at the meetings of councils, and whose duties and compensation shall be fixed by ordinance or resolution: *Provided*, That such compensation shall not exceed the sum of one dollar for each meeting of said councils.

SECTION 4. That the councils shall have power to appoint one person whose duty it shall be to remove, forthwith, all nuisances in said city, on notice given to him by any citizen, or by the health committee of councils, or by any member of the board of health of said city; and such nuisance shall always be removed at the expense of the party creating or maintaining the same, if such party can be found, and if not, then at the expense of said city; and when the expense of removing the same shall fall upon the party creating or maintaining the same, it shall, on refusal or neglect to pay, be collected from such party as fines and penalties, due said city, are now by law collectable; and if the person so appointed shall neglect or refuse to remove such nuisance when notified, he shall forfeit and pay the sum of twenty dollars, one fourth thereof to be paid to the informer and the balance thereof to be paid into the city treasury.

Additional license fees may be imposed.

SECTION 5. That in addition to the license fees now charged by law on all billiard tables and bowling saloons, and beer saloons, oyster saloons, restaurants, eating houses, groceries and taverns, at which intoxicating drinks are sold in said city, it shall be lawful for the councils of said city to assess, by ordinance or resolution, on the keepers or proprietors of such billiard tables, bowling saloons, beer saloons, oyster saloons, restaurants, eating saloons, groceries and taverns, a license fee of not more than fifty dollars, for the use of said city; and said

licences, when so assessed, shall be collected by the treasurer of said city, and shall constitute and be a fund for the payment of the police of said city, and for no other purpose whatever; and the amount of license to be paid by the various parties, liable to pay the same under this act, shall be assessed and adjusted at such rate as they shall deem right and proper; and said assessment, when completed, shall be published for one week in one English and one German paper in said city, the expense of which, together with the expenses of collecting said licenses, shall be paid out of the fund raised by the said licenses, and if any person or persons shall neglect or refuse to pay said license within sixty days after the final assessment of the same, the amount of license, due from such person or persons, shall be collected in the same manner that fines and penalties, due said city, are now by law collected: *Provided*, That persons, so assessed as aforesaid, may appeal to the next regular meeting of said councils, at which time said appeal shall be heard and disposed of.

How collected
and appropriated.

Assessments of
licenses to be
published.

Penalty for neg-
lect to pay.

Appeals may be
taken.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 173.

AN ACT

To incorporate the society of the Church of Christ, worshipping in Germantown, commonly called the German Baptists.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the society of the church of Christ, commonly known as German Baptists, worshipping in Germantown, Twenty-second ward of the city of Philadelphia, are hereby erected into a body politic and corporate, by the name, style and title of the society of the Church of Christ, worshipping in Germantown, commonly called the German Baptists.

Incorporation.

Name.

SECTION 2. That the said corporation, by their name and style, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of law or elsewhere; shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors, for the use of said congregation, lands, tenements, goods and chattels of whatsoever kind, nature or quality, real, personal or

Privileges.

Seal.

Proviso.

Trustees.

Officers.

Vacancies.

Proviso.

By-laws.

Proviso.

Proviso.

Church officers
not to receive
compensation.Sale of real es-
tate.No streets to be
laid out through
grave yard.

Right of burial.

mixed, which now are, or shall hereafter become the property of said corporation, or be held for their use by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person whomsoever capable of making the same; and the same to grant, bargain, sell, mortgage, improve or dispose of, for the use and benefit of the said congregation, and to have and use a common seal, the same to alter and renew at pleasure: *Provided*, That the yearly value or income of the said estate shall not at any time exceed five thousand dollars, and shall not be used for any other than benevolent or religious purposes.

SECTION 3. That the secular business of the said corporation shall be conducted by seven trustees, to wit: John Price, Benjamin Lehman, Amos Cowell, Joseph Scheetz, Charles Benson, John Price, junior, and Stephen Benton, four of whom shall constitute a quorum, who shall elect from their number a president, secretary and treasurer; the said trustees shall continue in office until the members of the said congregation shall provide, by by-law or otherwise, for the election of new or other trustees: *Provided*, In case of vacancy, by death, resignation or otherwise, the vacancy shall be filled by the remaining trustees, by a two-thirds vote of the whole number of trustees: *Provided further*, That not less than five trustees shall be professing members of said church.

SECTION 4. That the said trustees shall have full power to make, enact and enforce such by-laws and ordinances as they shall think proper for their own government, and for the regulation and transaction of the business of the said congregation, including the election of trustees above mentioned: *Provided*, That said by-laws and ordinances shall be submitted to the congregation for confirmation and alteration: *And provided*, That said rules, by-laws and ordinances, shall not be contrary to this charter, or the constitution and laws of this commonwealth, or of the United States.

SECTION 5. That neither the elders, known generally as pastors, nor any other church officer, except the sexton of the said congregation, shall receive any pay or emolument whatever for their services.

SECTION 6. That no sale of real estate belonging to said corporation, or of any part thereof, shall be made without the consent of two-thirds of the members of the said congregation in joint meeting assembled: *Provided*, That no street or streets now laid out, or hereafter to be laid out, shall be opened through the grave yard attached to the church of the congregation in Germantown: *And provided*, That the members of the congregation of the society of the Church of Christ, commonly called German Baptists, worshipping in Crown street, city of Philadelphia, aforesaid, shall have the right of sepulture in said grave yard, as heretofore.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 174.

AN ACT

To incorporate the Jackson Hall Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Callahan, A. L. Bonnaffon, William Keichline, William Phelan, Thomas Fagan, Alex. C. Garvin, John Rice, Philip Lowry, junior, Henry M. Dechart, and all their associates, and all persons who may now or hereafter be holders of the stock herein-after mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Jackson hall association, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and the same to alter and renew at pleasure; and to have, hold, receive, enjoy, and take in fee simple, or upon ground rents, such real and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper use and management and maintenance of a public hall, in the Twenty-fourth ward of the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same; with free power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.

Corporators.
Style.
Seal.
Real and personal estate.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain a suitable building or buildings, and with all things necessary for the use thereof, at any place within the limits of the Twenty-fourth ward of the city of Philadelphia, the same to be appropriated and used as a public hall; the said building or buildings, the rooms, or any one or more of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions as the managers may determine.

Erection and purposes of hall, &c.

SECTION 3. That the capital stock of said corporation shall not exceed five thousand dollars, divided into one thousand shares of five dollars each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish.

Capital stock.

SECTION 4. That the government and control of the hall association, and the management of its property, shall be vested in, and the corporate powers of said association shall be exercised by, a board of nine managers, who shall be elected by ballot from among the stockholders; they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves, shall supply all vacancies in their number however occasioned, and shall have the general and entire control of the affairs and interests of the association; and that until other officers be duly elected,

Board of managers.
Officers.
Vacancies.

Corporators named to act as managers until election.	the persons named in the first section of this act shall be held to be managers of this said corporation, and shall have power and authority as such.
Annual meetings and elections.	SECTION 5. That a general meeting of stockholders shall be held annually, on the second Monday of July, for the election of nine managers, and the transaction of other business, but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place within three months thereafter, two weeks' public notice of such meeting being first given in two
Notice.	daily newspapers in the city of Philadelphia, and special meetings
Special meetings	of the stockholders shall be called and held, as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and the decision of all questions, and at all the meetings of the stockholders,
Votes.	the stockholders present, either in person or proxy, shall severally vote, one for each share of stock held by them.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 175.

AN ACT

To organize the Middle Coal Field Poor District.

Poor district established, how composed, &c.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the borough of Hazelton and the townships of Hazel and Foster, in the county of Luzerne, and the boroughs of Mauch Chunk and East Mauch Chunk, and the townships of Banks, Lansanne and Mauch Chunk, in the county of Carbon, shall on and after the first day of April, Anno Domini one thousand eight hundred and sixty-two, compose one poor district, and under the name, style and title of the Middle Coal Field poor district, shall be a municipal corporation, and by that name shall have all the powers and immunities heretofore granted and held to, and by the directors of the poor and of the house of employment for the county of Carbon, under the act of the general assembly of this commonwealth erecting the same, approved the twenty-</i>
Name.	
Powers.	

sixth day of April, Anno Domini one thousand eight hundred and fifty-five, and the several supplements thereto.

SECTION 2. That the affairs of said poor district shall be managed by three directors to be elected in the manner hereinafter provided, one of whom shall be a resident of the borough of Hazelton, or the township of Hazel or Foster, one of the borough of Mauch Chunk, or East Mauch Chunk, or the township of Mauch Chunk, and one of the township of Banks or Lausanne, who shall serve three years from the first day of November next after their election, and until their successors are duly elected and qualified: *Provided*, That the persons now holding the offices of directors of the poor and of the house of employment for the county of Carbon, shall be directors of the said Middle Coal Field poor district, for the terms for which they were respectively elected directors of the poor and of the house of employment of the county of Carbon: *Provided further*, That Richard Sharp, of the township of Foster, Ralph Lozer, of the township of Hazel, and Joseph Greenawalt, of the borough of Hazelton, shall meet with said board of directors, and have a voice in the management of the affairs of said district, equal to two votes, from the first day of April until the first day of November, Anno Domini one thousand eight hundred and sixty-two, and until a director, resident in the said borough or townships, is duly elected and qualified: *Provided further*, That the compensation to be allowed to each of said directors shall not exceed fifty dollars per annum, in addition to a reasonable allowance for their traveling expenses while engaged in the performance of the duties of their office.

Management.

Directors.

Present directors of poor for Carbon county to serve out their terms.

Present directors of Hazelton, and the townships of Hazel and Foster, to serve until election under this act.

Compensation.

SECTION 3. That the directors of the said Middle Coal Field poor district, shall be elected at the time and places and in the manner provided for the election of senators and representatives, when two or more counties compose a senatorial or representative district; and the returns shall be in like manner made and certified, excepting that it shall not be necessary for the appointed return judges to forward a copy of their return to the secretary of the commonwealth: *Provided*, That the said return judges shall meet at the poor house in said district, on the seventh day after the election, and shall deposit a copy of their return in the office of the prothonotary of Carbon county; and the person or persons elected shall procure from said prothonotary a certificate of his or their election, and take and subscribe the oath required by the act of assembly, named in the first section of this act, before entering upon his or their duties: *Provided*, That the first election for said directors shall be held on the second Tuesday in October, Anno Domini one thousand eight hundred and sixty-two: *And provided further*, That said return judges shall be allowed and paid, out of the treasury of the said district, the same fees and mileage as return judges of senatorial and representative districts, composed of two or more counties, are by law authorized to receive.

Election of directors.

Returns, how made, &c.

Meeting of return judges.

Certificates of election. Oath.

Proviso.

Compensation of return judges.

SECTION 4. That all persons and property, subjects and things taxable for county purposes, in the several boroughs and townships comprising the said Middle Coal Field poor district, shall also be taxable for the support and maintenance of the poor and house of employment of said district; and the same shall be

Taxation for poor purposes, assessment and collection of.

annually laid, levied upon the last adjusted valuation and assessment for county rates and levies, copies whereof shall be furnished to the directors of said poor district when requested by the county commissioners of Carbon and Luzerne counties, at the expense of said district; and the said directors shall have and exercise the same power and authority to equalize said assessments, to levy said taxes, appoint collectors, prepare duplicates, issue precepts, require securities, grant exonerations, and to settle and adjust the duplicates of such taxes, and to do all other things necessary in and about the levying and collection of the same, as county commissioners now by law have in and about the levying and collection of county taxes; and the collectors of such taxes shall have the same power and authority to enforce the payment thereof, and shall be subject to the like penalties for the neglect of duty as collectors of county taxes have and are subject to in respect to county taxes; and unpaid taxes on real estate shall be returned and collected in the manner provided for the collection of similar taxes levied for school purposes.

Suits, settlements, &c., how prosecuted and adjusted.

SECTION 5. That all suits against the said Middle Coal Field poor district, and all questions of settlement and removal of persons by, or for whom a residence is claimed or denied therein, shall be prosecuted and adjusted in the proper courts of Carbon county.

Election of auditors.

SECTION 6. That the annual accounts of said district shall be audited and adjusted by three citizens of the same, to be elected at the time and in the manner hereinbefore provided for the election of directors, and who shall hold their offices three years from the first day of November next succeeding their election; that at the first election for said auditors, one shall be elected to serve for one year, one for two years, and one for three years, and notice of such elections, and of the elections for directors, shall be given in the manner provided for notices for the election of township officers: *Provided*, That the said auditors shall be paid out of the treasury of said district the same fees and mileage to which county auditors are by law entitled for similar service: *And provided further*, That the annual statement of the accounts of the said district shall be published in Carbon county.

Notice of election

Compensation of auditors.

Publication of annual statement.

Removal of the poor to the Carbon county poor house.

SECTION 7. That on and after the first day of April, Anno Domini one thousand eight hundred and sixty-two, the poor of the several boroughs and townships composing said poor district, or such of them as the said directors and overseers of the poor of said boroughs and townships shall think it expedient to remove, shall be removed to the building lately known as the Carbon county poor house; and at the next meeting after said date, the said directors shall make such order as shall be necessary for the relief and support of such as cannot be removed to said house, and from time to time shall make such further order for the support, maintenance and employment of the poor of said district as shall be necessary; and as soon as the outstanding taxes, and such other taxes as it may be necessary to levy for the payment of the indebtedness of the said boroughs and townships, on account of the poor of the same, are collected, and such indebtedness paid, the office of overseer of the poor in said

Orders for the relief of such as cannot be removed.

When the office of overseer to be abolished.

district shall be abolished: *Provided*, That any surplus which may remain after the final settlement of their accounts, and all fines and forfeitures, excepting fines in cases of fornication and bastardy, which were heretofore payable to the overseers of the poor, shall be paid to the supervisors of the highways, to be by them applied toward the repair of the roads and highways of said borough and townships respectively, and such excepted fines shall be paid to the said directors of the poor.

Surplus and fines to be paid to supervisors of highways.

Certain fines paid to directors.

SECTION 8. That after the poor of the several boroughs and townships, composing said poor district, shall be so as aforesaid removed to the said house of employment for the same, no person shall be admitted to said house for relief, nor shall receive relief from said district out of said house, except upon the order of a justice of the peace of said district, setting forth the facts necessary to entitle the applicant to relief, verified by the oath or affirmation of the applicant, or of one other citizen of said district; for which order said justices shall be entitled to the sum of twenty cents: *Provided*, That either of the said directors may, upon application being made to him, grant relief, and admit the applicant to said house without requiring such order.

Orders for relief to be issued by justices, upon oath of applicant or others.

Compensation. Provide.

SECTION 9. That for the purpose of re-imbursing the directors of the poor and of the house of employment for the county of Carbon, for a proportional part of the cost of the farm, buildings, stock, and other property recently held and owned by them, and to the benefits and advantages whereof the said borough of Hazelton and townships of Hazel and Foster are by this act admitted, the commissioners named in the act of the general assembly of this commonwealth, entitled "An Act to authorize the erection of a poor house by the borough of Hazelton, township of Hazel and township of Foster, in the county of Luzerne," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, are hereby authorized and required, on or before the first day of April, Anno Domini one thousand eight hundred and sixty-two, to execute and deliver to the directors of the poor and of the house of employment of the county of Carbon, three bonds, in the sum of fifteen hundred dollars each, payable with interest on the first day of

Re-imbusement of the directors of Carbon county for cost of buildings, &c.

Certain commissioners, named in former act, authorized to execute bonds therefor.

April, Anno Domini one thousand eight hundred and sixty-three, sixty-four and sixty-five, respectively, and for the payment whereof, to bind the borough of Hazelton, and the townships of Hazel and Foster, jointly and severally; which bonds, or the proceeds whereof, the said directors shall apply toward the liquidation of certain bonds, issued by the commissioners of the county of Carbon, as evidence of their indebtedness on account of the said poor and house of employment for the county of Carbon; and the residue of such indebtedness, and the current expenses for the maintenance of the poor and house of employment, from and after the said first day of April, Anno Domini one thousand eight hundred and sixty-two, shall be paid by the said Middle Coal Field poor district.

When payable.

How to be applied by directors of Carbon county

Residue of indebtedness, how to be paid.

SECTION 10. That for the purpose of providing means for the payment of the bonds named in the preceding section of this act, the directors of the said Middle Coal Field poor district, shall annually, so long as the same shall be necessary, add to the duplicates of the poor taxes levied in said borough of Hazel-

Additional poor tax may be levied for payment of bonds, &c.

Surplus, how appropriated.

ton, and townships of Hazel and Foster, such per centum as will be sufficient to meet the annual payments aforesaid, and cause the same to be collected with said taxes; and if any surplus of such additional tax shall remain after the payment of the said bonds and interest, the same shall be paid to the supervisors of the highways of said borough and townships, respectively.

Certain provisions extended to.

SECTION 11. That all the provisions of the act of the general assembly of this commonwealth, entitled "An Act to provide for the erection of a house for the employment and support of the poor for the county of Carbon," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, and the several supplements thereto, and of the act explanatory of said act, approved the third day of April, Anno Domini one thousand eight hundred and sixty, and the supplements thereto, so far as the same are applicable, are hereby extended to the Middle Coal Field poor district; and so much of the same acts and of the act, entitled "An Act to authorize the erection of a poor house by the borough of Hazelton, township of Hazel and township of Foster," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, as are inconsistent with this act, are hereby repealed.

Repeal.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 176.

AN ACT

Relative to Notaries Public in the borough of Scranton, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of an act, entitled "An Act to enable the governor to appoint notaries public, and for other purposes therein mentioned," approved the fourteenth day of April, Anno Domini eighteen hundred and forty, as renders or has been construed to render justices of the peace ineligible to the office of notary*

public, be and the same is hereby repealed so far as relates to the borough of Scranton, in the county of Luzerne.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

We do certify that the bill, entitled "An Act relative to notaries public in the borough of Scranton, in Luzerne county," was presented to the governor on the sixth day of March, one thousand eight hundred and sixty-two, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. W. CAPRON,

Asst. Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, March 18, 1862.

No. 177.

AN ACT

To authorize the Governor to appoint Commissioners in the Army of the United States to take acknowledgments of Deeds for the counties of Chester and Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of this commonwealth is hereby authorized to appoint and commission as many persons, in the military or naval service of the United States, as he may deem expedient, who, as commissioners, shall have authority to take the acknowledgment or proof of any deed, mortgage, or other conveyance of lands or tenements, situate in the counties of Chester and Lancaster, and state of Pennsylvania, or of any contract, release, letter of attorney, or of any other writing under seal, to be used or recorded in the said county; and such acknowledgment or proof shall have the same force and effect, and be as good and available in law, for all purposes, as if the same had been taken or made before a judge or justice of the peace of the said county.

Appointment of commissioners in U. S. army and navy to take acknowledgment of deeds, &c., for Chester and Lancaster counties.

SECTION 2. The acknowledgment or proof, taken or made by virtue of the first section of this act, shall be certified by the commissioner before whom the same shall be taken or made, and the certificate of the commissioner shall be written on or annexed to the deed or instrument acknowledged or proved

Certificate of commissioner.

Authorized to
administer oaths,
&c.

SECTION 3. Any commissioner, appointed by virtue of this act, shall have full authority to administer oaths and affirmations, and to certify the same with the same effect as if made before a judge or justice of the peace of the said county, and by him certified.

JOHN ROWE,

Speaker of the House of Representatives.

G. V. LAWRENCE,

Speaker of the Senate pro tem.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 178.

AN ACT

Authorizing the re-auditing of the accounts of Wilbur H. Sartwell, former Treasurer of M'Kean county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Benjamin E. Corwin and Asa P. Barnaby, former auditors of M'Kean county, together with Chester J. Medberry, be and they are hereby authorized to re-audit the accounts of Wilbur H. Sartwell, former treasurer of said county; and that all proceedings against the said Wilbur H. Sartwell, and his bail, shall in the meantime be suspended.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 179.

AN ACT

To repeal an act relating to Roads in West Goshen township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, passed and approved the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act relating to roads in West Goshen township, Chester county," be and the same is hereby repealed: *Provided nevertheless,* That existing contracts under the said act shall in no respect be affected by the repeal thereof.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 180.

AN ACT

Relating to Passenger Railway Companies in Allegheny county.

WHEREAS, The various street passenger railway companies within the county of Allegheny are often hindered in the use of their railways, by the willful and deliberate obstruction of the same by other vehicles, et cetera:

And whereas, But few of the charters incorporating said companies provide an adequate protection against such obstruction; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, any person or persons wantonly or maliciously obstructing the track of any such railway company, or the passage of the cars on or over the same, after having been duly warned to remove such obstruction, and having been found guilty thereof before any mayor, alderman

or justice of the peace within the county of Allegheny, shall be fined five dollars for each offence, and in default of payment of the same within twelve hours, such person or persons shall be committed to the common jail of the county for any period not exceeding five days; said fines to be paid into the treasury of the city, borough or township where the offence may have been committed; all such suits to be in the name of the railway company whose track has been wantonly or maliciously obstructed, for the use of the city, borough or township where the offence has been committed: *Provided*, That this act shall not be so construed as to deprive the owners or tenants of property along such tracks, of the reasonable enjoyment thereof in all cases where the proximity of the track to the sidewalk requires a temporary detention of a car or cars.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 181.

AN ACT

To relinquish the purchase money and interest due the Commonwealth on a certain piece of land in Lehigh county, to the Jordan German Reformed church congregation, and to perfect a title to said congregation.

WHEREAS, The Jordan German Reformed church congregation of South White Hall township, Lehigh county, have for more than one hundred years past had in its possession a certain tract of land, situated in the said township, containing forty-five acres and forty-three perches of land, with allowances for roads, et cetera, and have erected thereon a house of worship, a school house, dwelling house, barn and other improvements:

And whereas, No warrant, application or patent have been made, granted or issued for the said tract of land; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the surveyor general is hereby authorized and directed to issue a patent, free of the purchase money, interest and office fees, to Leonard Moyer and John Biery, as trustees, for the use of the said Jordan German Reformed church congregation of South White Hall township, Lehigh county, called the Jordan Ger-

man Reformed church congregation as aforesaid, for the said certain tract of land, as per survey filed in the said surveyor general's office of this commonwealth, by Solomon Fogel, county surveyor of said county, the twelfth day of March, Anno Domini one thousand eight hundred and sixty-one.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 182.

AN ACT

To authorize the Commissioners of Lawrence county to assign and transfer a mortgage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Lawrence be and they are hereby authorized to assign and transfer, unto the New Castle and Beaver Valley railroad company, a certain mortgage held by the said county against the Pittsburg, New Castle and Cleveland railroad company, upon such terms as may be agreed upon by and between the said commissioners and the said New Castle and Beaver Valley railroad company; and that the said New Castle and Beaver Valley railroad company be and are hereby authorized to proceed, at law or equity, upon said mortgage, when so transferred, in their own corporate name.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 183.

A SUPPLEMENT

To an act relating to certain Records of the city of Philadelphia, approved March eighth, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the copying of the records in the land office, provided by the the ninth resolution of the "Joint resolution relative to the state library, and other purposes," approved April sixteenth, one thousand eight hundred and thirty-eight, which have not already been so copied, shall be performed by the officer contemplated by the first section of the act to which this is a supplement; the chief engineer and surveyor of the city of Philadelphia shall, within thirty days after the passage of this act, appoint, by and with the advice and consent of the select council, a competent person, who shall perform the service provided by the act, entitled "An Act relating to certain records of the city of Philadelphia," approved March eighth, one thousand eight hundred and sixty-two, and the councils of said city shall by ordinance determine the salary and prescribe the duties of said officer.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 184.

A SUPPLEMENT

To an act, passed the fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act to incorporate the Tioga County Bank."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the president and cashier of Tioga County Bank, as soon as they deem expedient after the passage of this act, may re-sell all shares of the capital stock of said bank heretofore sold, on which instalments remain due and unpaid, which under the by-laws and regulations of said bank have been called for or required; and such re-sale shall extinguish and annul all right or claim of the present holders or claimants of said shares of stock in the same, and shall vest the said stock in the purchaser or purchasers thereof at said re-sale, and forfeit to said bank the amount heretofore paid thereon: *Provided*, That said re-sale shall be made publicly at the banking house of said bank, and that sixty days' notice thereof shall be given by three successive publications in one daily paper published in the city of Philadelphia, one in the city of Buffalo, New York, and also by three successive publications in a weekly paper published in Tioga county, the last of which shall be made at least ten days before the sale: *And provided further*, That the holder or claimant of said stock, or any portion thereof, may at any time prior to the re-sale, pay to the officers of said bank the amount due on such shares as may be claimed by him, and thereupon the same shall not be re-sold.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 185.

AN ACT

Confirming the Title to certain land in Elizabeth township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all the title to a certain tract of land in Elizabeth township, Allegheny county, described in a deed from Andrew Craighead to John Patterson, bearing date the twenty-seventh day of July, Anno Domini one thousand eight hundred and fifty-eight, and recorded in said county, in volume one hundred and thirty-four, page four hundred and twenty-eight, which may have become vested in the commonwealth by escheat, be and the same is

hereby released, and all claim to said land, by reason of any escheat, is hereby forever relinquished.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 186.

AN ACT

Authorizing the Surveyor of Erie county to transcribe the surveys made by former Deputy Surveyors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the deputy surveyor, in and for the county of Erie, is hereby authorized to copy, into a suitable book, all the original surveys made by former deputy surveyors in said county, on warrants, improvements or otherwise, with suitable index; and that the said book, when certified to be a true copy of the original, and submitted to and approved of by the court of general quarter sessions of the peace of said county, shall be received in evidence in any judicial proceeding, in the same manner as the original books; and that the commissioners of said county shall, out of the funds of said county, pay the county surveyor a reasonable compensation for his services.

SECTION 2. It shall be the duty of said county surveyor to file the said original surveys, as soon as the same shall be copied, in the office of the county commissioners.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

Deputy surveyor
authorized to
transcribe cer-
tain surveys.

Record to be ap-
proved by court.

Compensation.

Original surveys
to be filed.

No. 187.

SUPPLEMENT

To an act, entitled "An Act to incorporate the Farm Stock Association of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Farm Stock association of Delaware county, incorporated by an act of assembly, approved the second day of April, Anno Domini one thousand eight hundred and sixty, be twenty-five hundred dollars; and so much of the third section of said act, as fixes the capital stock of said association at six thousand dollars, is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 188.

AN ACT

Requiring the Adjutant General to audit the account of Issacher Pugh, late Brigade Inspector of the Second Brigade, Second Division, Pennsylvania Militia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the adjutant general is hereby required to audit the account of Issacher Pugh, late brigade inspector of the second brigade, second division, Pennsylvania militia, for balance of salary due him, and for moneys expended by him in pursuance of law, and shall report the amount he finds to be due, if any, to said Pugh, to the legislature at its present session.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 189.

AN ACT

Relating to Forged Mortgages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where any signature, purporting to be the signature of any mortgagor or mortgagors to any mortgage, duly recorded in the proper office for the recording of the same, is or shall be alleged to be a forgery, the said mortgagor or mortgagors, his, her, or their legal representative or representatives, or the owner or owners of the mortgaged premises, or any or either of them, may petition the court of common pleas of the county where the mortgaged premises are situate, setting forth the premises; whereupon the said court shall direct the sheriff of the said county to serve a notice, stating the facts set forth in the petition, on the mortgagee or mortgagees, his, her, or their legal representative or representatives, assignee or assignees, if to be found in said county; and in case the parties aforesaid cannot be found in the said county, then the said sheriff shall give public notice as aforesaid, in two or more newspapers within or nearest to the said county, once a week for eight weeks, successively, prior to the then next term after the petition as aforesaid has been presented, requiring the said parties to appear at said term and answer the petition as aforesaid; at which term, or any subsequent term, the said court, on due proof being made that such signature of said mortgagor or mortgagors is a forgery, are hereby authorized and required, to decree and direct, that such mortgage be cancelled by the recorder of the proper county, on payment of the costs which have accrued for or by reason of any proceedings thereon had in pursuance of this act; which said cancellation, as aforesaid, shall forever thereafter discharge, defeat and release the same, and shall likewise bar all actions brought, or to be brought thereon, fully and effectually to all intents and purposes; but if either of the parties shall desire any matter of fact that is affirmed by the one, or denied by other, to be tried by a jury, an issue shall be formed, and the same shall be tried accordingly; and if the jury shall find that the signature of the said mortgagor or mortgagors is a forgery, then the said mortgage shall be stricken from the records as aforesaid.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 190.

AN ACT

Authorizing the re-examination of the accounts of Thomas M. M'Candless, late Treasurer of Indiana county, and for the relief of his sureties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized and directed to re-examine the accounts of Thomas M. M'Candless, late treasurer of Indiana county, and to re-settle and correct the errors contained therein, according to law.

Auditor general and state treasurer to re-examine accounts of Thos. M. M'Candless.

SECTION 2. That whereas the said Edward P. Hildebrand, one of the four sureties of the said Thomas M. M'Candless, has given to the state ample security to the state, for the full amount of one-fourth of the indebtedness of said M'Candless, and it appearing that the securities thus given are equivalent in value to the whole available property of the said Hildebrand; therefore, *be it enacted,* That the said Edward B. Hildebrand be and is hereby released from any liability to the commonwealth, as such surety.

Edward P. Hildebrand released from liability as surety.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 191.

AN ACT

To incorporate the Venango and Warren Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That S. Q. Brown, Hubbard Skinner, John Prather, Asbury Dawson, D. H. Mitchell, Warner Perry, W. F. Dalrymple, Wm. B. Acocks, L. S. Watkins, T. Anderson, John Kelly, E. G. Benedict, John M'Clintock, J. W. Stout, Enos Thompson, or any

Commissioners.

Title.	seven of them, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Venango and Warren turnpike company, to construct a turnpike, timber or plank road, or part turnpike, part timber, and part plank, from the mouth of Oil creek or Cherry run, in the county of Venango, by way of Plumersville and Pleasantville, in the said county, and Enterprise, in the county of Warren, to Garland or Pittsfield, in said county of Warren, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered and supplied.
Route.	
Subject to.	
Capital stock.	
proviso.	SECTION 2. That the capital stock of the said company shall consist of one thousand shares, of fifty dollars each share: <i>Provided</i> , That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road, and carry out the true intent and meaning of this act.
Authorized to use county bridges and public streets or roads.	SECTION 3. That it shall be lawful for the said company to make use of any county bridge on the line of the route of their road, and also use the whole or any part of any public street or road, and locate their road upon the ground occupied by any public street or road; and the courts of quarter sessions of the respective counties through which the road of the said company may pass, shall appoint viewers to view and vacate such parts of any public road as shall be used or rendered unnecessary by the construction of the said company's road, as is provided by the general road laws of this commonwealth in the cases of roads which have become useless.
Viewers to be appointed.	
May borrow money.	SECTION 4. That the said company shall have power to borrow money, at any rate of interest not exceeding eight per centum per annum, for the purpose of completing their road, and issue bonds therefor, and secure the same by mortgage of their road and franchises.
Certain act of incorporation repealed.	SECTION 5. That an act incorporating a company to construct a turnpike road between the said borough of Franklin and the borough of Warren, in the county of Warren, and all other acts or parts of acts relating thereto, inconsistent with the rights and franchises hereby granted, be and the same are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 192.

AN ACT

To authorize the court of common pleas of Schuylkill county to appoint auditors to re-audit and re-settle the account of William Bickel, late treasurer of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of Schuylkill county is hereby authorized to appoint, and shall appoint, three auditors to re-audit and re-settle the state and county accounts of William Bickel, late treasurer of Schuylkill county, from the beginning of his official term to the termination thereof, with like effect as if made by the county auditors at the expiration of the official term of said treasurer.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 193.

AN ACT

Relative to road views in Hartley, Lewis and West Buffalo townships, Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for the court of quarter sessions of the peace of Union county, hereafter, to grant a view for laying out a public road in the townships of Hartley, Lewis, West Buffalo, or either of them, in said county, unless the petition for such view shall be signed by at least one-third of the legal

LAWS OF PENNSYLVANIA,

voters of the township or townships through which the proposed road is to pass.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 194.

A SUPPLEMENT

To the act for the collection of taxes in the county of Venango, so far as relates to the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, that any person who may be appointed collector of taxes by the commissioners of the county of Jefferson, under and by the provisions of said act, shall refuse to act as collector, shall forfeit and pay the sum of fifty dollars, the same to be collected in the name of the commissioners, as debts of like amount are collected.

JOHN ROWE,
Speaker of the House of Representatives.

G. V. LAWRENCE,
Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 195.

A N A C T

To extend the time for holding the election in Hanover township, Lehigh county.

WHEREAS, The vote polled in the said township of Hanover is unusually large, and the distance which a large portion of the voters live from the polls, it is impossible to receive all the votes up to the hour of seven o'clock, the time fixed by the general election law ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the polls of the township and general elections in said township, shall be kept open until eight o'clock in the afternoon.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 196.

A N A C T

To extend the provisions of an act, entitled "An Act for the better securing the Compensation of Labor in the county of Luzerne," approved March thirteenth, one thousand eight hundred and fifty-nine, to the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the provisions of the act, entitled "An Act for the better securing the compensation of*

LAWS OF PENNSYLVANIA,

labor in the county of Luzerne," be and the same is hereby extended to the county of Carbon.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 197.

AN ACT

Authorizing the School Directors of the borough of Millerstown to purchase and hold a lot of ground for school purposes, outside of the limits of said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the borough of Millerstown, in the county of Lehigh, be and they are hereby authorized to purchase, for such price as they can obtain the same, and to hold a certain lot of ground situate within three quarters of a mile of the limits of said borough, and the building thereon, erected for school purposes; or purchase and hold another lot of ground within such distance of said borough, and erect thereon a house for such purposes: Provided however, That the expenditure in either case shall not exceed the sum of three thousand dollars.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 198.

A SUPPLEMENT

To an act for the establishment of a College at Uniontown, in the county of Fayette.

WHEREAS, Madison college, in the borough of Uniontown, Fayette county, Pennsylvania, was sold at a judicial sale, and the same was purchased by Andrew Stewart, Rice G. Hopewood, William H. Johnston and Daniel Kaine; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Andrew Stewart, Rice G. Hopewood, William H. Johnston and Daniel Kaine, their vendees, transferees or assigns, and those who may be hereafter associated with them, and their successors and assigns, are and shall be entitled to all the incorporated rights, privileges and immunities, given and granted to Madison college, in the borough of Uniontown, Fayette county, Pennsylvania, by an act of the general assembly, entitled "An Act for the establishment of a college at Uniontown, in the county of Fayette," approved the seventh day of March, Anno Domini one thousand eight hundred and twenty-seven. Rights and privileges of the original act of incorporation granted to the purchasers

SECTION 2. That the name of said institution is hereby changed, and shall hereafter be known and called by the name and style of Madison institute; and the same may be hereafter devoted exclusively to the purposes of a female seminary, or to a seminary for the education of both males and females, as the trustees may determine. Name changed.

SECTION 3. That the affairs of said institution shall hereafter be managed by five trustees, who shall be elected or appointed by the owners thereof, on the first Monday of May in each and every year hereafter, who shall have, exercise and enjoy all the powers conferred on the trustees by the act to which this is a supplement; and should the owners fail to elect or appoint trustees on the day herein named, the trustees shall continue to exercise their offices until others are duly elected or appointed. Purposes.

SECTION 4. That the trustees aforesaid may be elected or appointed from among the owners of the institution, or from persons not owners, in the discretion of the owners; and they are hereby empowered to make and ordain such by-laws as may be necessary for the well governing of said institution, not inconsistent with the constitution and laws of this state, nor or of the United States. Election of trustees.

Their powers.

Whom may be trustees.

By-laws.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 199.

A SUPPLEMENT

To the act, entitled "An Act to provide for the erection of a House for the Employment and Support of the Poor of the county of Cambria," approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-four.

Commissioners and directors of poor required to make settlement of certain accounts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty, and it is hereby required, of the commissioners and the directors of the poor of the county of Cambria, to make a just and full settlement before the first day of November next of all matters and things pertaining to the erection of the poor house of said county, and ascertain what amount, if any, of the debt incurred by said county for the purchasing of a poor house farm, and the erection of the necessary buildings thereon, yet remains unpaid.

Commissioners prohibited from assessing poor taxes exceeding estimates.

SECTION 2. That hereafter it shall be unlawful for the commissioners of said county, and they are hereby prohibited from assessing and collecting, or causing to be collected in any year, poor taxes exceeding in amount the estimate required to be furnished by the directors of the poor of said county to the said commissioners, by the fifth section of the act to which this is a supplement: *Provided,* That this prohibition shall not extend to any poor tax, assessed for the payment of any balance of any debt which may be ascertained, by the settlement provided for in the first section of this act, to have been incurred by said county for the purpose of providing a house of employment for the poor of said county: *And provided further,* That the taxes assessed for the support of the poor, and for the payment of any indebtedness which may be found to exist, shall be respectively designated as such; and the county treasurer is hereby required to keep accurate and separate accounts of said taxes.

Not to extend to tax for payment of balance of debt.

Treasurer to keep separate accounts.

Orders for relief of paupers.

SECTION 3. That hereafter all orders for the relief or support of paupers in the county of Cambria, which shall be signed only by one justice of the peace of said county, shall be deemed and taken to be as valid as if the same were signed by two justices of the peace; and no order shall be granted by any justice or justices for said county, for the relief of any poor and indigent person, until proof is first made, to the satisfaction of the said justice or justices, by the oaths or affirmations of one reputable citizen of said county, that such person is entitled to the relief prayed for; and the name of the said citizen shall be set forth in the order granted by the said justice or justices.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 200.

AN ACT

Supplementary to an act, entitled "An Act to lay out a State road in the counties of Butler and Venango," approved May first, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to lay out a state road in the counties of Butler and Venango, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, and hereby extended until October first, Anno Domini one thousand eight hundred and sixty-two.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 201.

AN ACT

To extend the provisions of an act designating the period for the commencement of the official term of the Commissioners, Prison Inspectors and Directors of the Poor and House of Employment of Lancaster county, so far as relates to County Commissioners, to Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the provision of an act, entitled "An Act designating the period for the commencement of the official term of the commissioners, prison inspectors and directors of the poor and house of employment of Lancaster county," approved the sixteenth day of May, Anno Domini one thousand eight hundred

and fifty-seven, as relates to the office of county commissioner, be extended to the county of Cumberland.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 202.

AN ACT

Authorizing the Supervisor of Tremont township, in Schuylkill county, to provide a Lock-up House at Tremont, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisor of Tremont township, in the county of Schuylkill, is hereby authorized to have built, or otherwise provided for, at the town of Tremont, in said township, a suitable building or place for the security and detention of any person or persons committed by any justices of the peace in the aforesaid township, for any violation of the laws of this commonwealth, for which such person or persons could lawfully be committed to the common jail of said county of Schuylkill, there to remain and to be kept until such offender or offenders can be removed to the said common jail, if committed for an indictable offence, or until discharged according to law: *Provided,* That no person or persons shall be confined in said lock-up house, at any one time, for a longer period than forty-eight hours, except such person or persons be charged with an indictable offence, and it may be necessary to detain him, her or them, for a legal examination.

SECTION 2. That the expenses of committing and keeping any person or persons in said house or place, on a charge of any indictable offence, shall be paid by the said county of Schuylkill; and for all offences where convicted by summary conviction, the expenses thereof shall be borne by the said township of Tremont, and paid out of the treasury of any money that may be therein, upon orders issued therefor by the supervisor, and countersigned by the township clerk of the said township of Tremont.

SECTION 3. That the auditors and supervisors of the said township of Tremont, are hereby authorized to lay an increase

Erection of lock-up house authorized.

Purposes of.

Proviso.

Expenses of committing and keeping, how paid.

Additional road tax authorized.

of road tax, of one mill on a dollar valuation, upon all taxable property in the said township, for the purpose of erecting or procuring the building mentioned in the foregoing section, to be used for the purposes aforesaid.

JOHN ROWE,
Speaker of the House of Representatives.

G. V. LAWRENCE.
Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 203.

SUPPLEMENT

To the act to prevent the gathering or picking of Cranberries in Tunkhannock township, Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act to which this is a supplement, approved the fifth day of April, one thousand eight hundred and fifty-nine, be and the same is hereby extended, in all its provisions, to the township of Pocano, in said county of Monroe.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 204.

AN ACT

For the better protection of Partridges or Quails in certain counties of this Commonwealth.

Taking, netting, &c., partridges prohibited. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person or persons to take, catch, net or trap, with nets or traps, or other device, any partridges or quails in the counties of Dauphin, Lancaster, Bucks, Montgomery and Lycoming.

Killing the same, at certain times, prohibited. SECTION 2. That from and after the passage of this act, it shall not be lawful for any person or persons to shoot, kill or destroy any quail or partridges in the counties aforesaid, between the fifteenth day of January and the first day of October, of each and every year hereafter.

Penalties. SECTION 3. That any person or persons offending against the provisions of this act, and being convicted thereof before any justice of the peace of either of the counties aforesaid, or by the oath or affirmation of one or more witnesses, shall, for every such offence, pay a fine of ten dollars, to be appropriated to the school fund of the township in which the complaint is made; and if the offender shall refuse to pay the said fine, he shall be committed to the jail of the county in which such offence is committed, for a term not exceeding five days: *Provided*, That such conviction be made within thirty days after the commission of the offence: *And provided further*, That the fact of any person offering partridges for sale, which have been so taken, shall be received as evidence to convict the party of a violation of the provisions of this act.

Provide.**Provide.**

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 205.

AN ACT

To change the time of holding the election for directors of the Williamsport Dickinson Seminary.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for directors of the Williamsport Dickinson seminary shall hereafter be held at the place now fixed by law, in the month of June in each year, at such time therein as the directors may designate: *Provided,* That not less than two weeks' previous notice thereof shall be given by publication, in not less than two weekly papers published in the county of Lycoming; and so much of the act incorporating said seminary, as requires the election for said directors to be held at any other time, be and the same is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

G. V. LAWRENCE,

Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 206.

AN ACT

To repeal an act, entitled "An Act to incorporate a Company to make a Road from Butler, Butler county, to Kittanning, Armstrong county," approved April second, Anno Domini one thousand eight hundred and twenty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate a company to make a Road from Butler to the Allegheny river, opposite Kittanning," approved April second, Anno Domini one thousand eight hundred and twenty-two, and the several supplements thereto, be and the same are hereby repealed.

No. 204.

AN ACT

For the better protection of Partridges or Quails in certain counties of this Commonwealth.

Taking, netting, &c., partridges prohibited. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person or persons to take, catch, net or trap, with nets or traps, or other device, any partridges or quails in the counties of Dauphin, Lancaster, Bucks, Montgomery and Lycoming.

Killing the same, at certain times, prohibited. SECTION 2. That from and after the passage of this act, it shall not be lawful for any person or persons to shoot, kill or destroy any quail or partridges in the counties aforesaid, between the fifteenth day of January and the first day of October, of each and every year hereafter.

Penalties. SECTION 3. That any person or persons offending against the provisions of this act, and being convicted thereof before any justice of the peace of either of the counties aforesaid, or by the oath or affirmation of one or more witnesses, shall, for every such offence, pay a fine of ten dollars, to be appropriated to the school fund of the township in which the complaint is made; and if the offender shall refuse to pay the said fine, he shall be committed to the jail of the county in which such offence is committed, for a term not exceeding five days: *Provided*, That such conviction be made within thirty days after the commission of the offence: *And provided further*, That the fact of any person offering partridges for sale, which have been so taken, shall be received as evidence to convict the party of a violation of the provisions of this act.

Provide.**Provide.**

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 205.

AN ACT

To change the time of holding the election for directors of the Williamsport Dickinson Seminary.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for directors of the Williamsport Dickinson seminary shall hereafter be held at the place now fixed by law, in the month of June in each year, at such time therein as the directors may designate: *Provided,* That not less than two weeks' previous notice thereof shall be given by publication, in not less than two weekly papers published in the county of Lycoming; and so much of the act incorporating said seminary, as requires the election for said directors to be held at any other time, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

G. V. LAWRENCE,
Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 206.

AN ACT

To repeal an act, entitled "An Act to incorporate a Company to make a Road from Butler, Butler county, to Kittanning, Armstrong county," approved April second, Anno Domini one thousand eight hundred and twenty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate a company to make a Road from Butler to the Allegheny river, opposite Kittanning," approved April second, Anno Domini one thousand eight hundred and twenty-two, and the several supplements thereto, be and the same are hereby repealed.

Made a state
road.

Duties of super-
visors.

SECTION 2. That the said road is hereby made a state road, and the supervisors of the townships through which said road passes, are hereby authorized to take charge of said road, and keep it in repair as other roads are kept; and they are further authorized to take possession of all bridges, stone, timber, and other appurtenances of said road.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 207.

AN ACT

For the relief of Harry Ellis, late Treasurer of Potter county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized to open and re-settle the accounts of Harry Ellis, late treasurer of Potter county, with the commonwealth, and to allow to said Harry Ellis, in said settlement, such credits as in their judgment he may be entitled to.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 208.

AN ACT

For the relief of John Ross, late Superintendent Allegheny Portage railroad.

WHEREAS, John Ross, late superintendent of the Allegheny Portage railroad, gave up the said office on the thirtieth of November, one thousand eight hundred and fifty-five, holding in his hands, at that time, three vouchers paid by him, and amounting to two thousand three hundred and ninety dollars and fifty cents :

And whereas, The account of said Ross was settled by the auditor general, on the tenth of December, one thousand eight hundred and fifty-five, during his absence, and without giving him credit for said sum of two thousand three hundred and ninety dollars and fifty cents, thereby imposing upon him the payment of interest from the tenth day of December, one thousand eight hundred and fifty-five, until the twenty-first of March, one thousand eight hundred and sixty, upon an amount not due the commonwealth ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general is hereby authorized and directed to open and re-settle the account of John Ross, late superintendent of the Allegheny Portage railroad, allowing him interest on said sum of two thousand three hundred and ninety dollars and fifty cents, from the tenth day of December, one thousand eight hundred and fifty-five, to the twenty first day of March, one thousand eight hundred and sixty, if he shall find the same to be due, and for any balances due said Ross, to draw his warrant upon the treasurer for the same.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 209.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Pennsylvania Training School for Feeble Minded and Idiotic Children," approved April seventh, one thousand eight hundred and fifty-three.

The length of time indigent pupils to be taught and maintained at expense of state.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the length of time that indigent pupils shall be taught and maintained at the expense of the commonwealth, shall be discretionary with the board of directors and the superintendent of said institution; and that all acts or parts of acts inconsistent herewith, be and the same are hereby repealed: *Provided,* The time of continuance in said institution shall in no case be extended beyond seven years.

Time of holding annual meeting changed.

SECTION 2. That the annual meeting of said corporation shall hereafter be held on the first Tuesday of January, instead of the second Wednesday of February, as provided in the act to which this is a supplement.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 210.

AN ACT

To amend the Charter of the borough of Berwick, in the county of Adams

Preamble.

WHEREAS, The borough of Berwick, in the county of Adams was incorporated into a borough by the court of the said county and the said court having omitted to fix any time for the holding their election:

And whereas, There will be no court held in the said county previous to the time of holding their borough elections; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of the borough of Berwick, in the county of Adams, shall on the second Saturday of April next, Anno Domini one thousand eight hundred and sixty-two, and thereafter on the third Friday of March in every year, elect by ballot, one burgess, five members of town council, and one constable for said borough, to serve for one year or until successors are elected. Election of borough officers.

SECTION 2. That the qualified voters of said borough of Berwick shall, on the second Saturday of April next, elect one justice of the peace, and thereafter on the third Friday of March, whenever by the act of assembly, approved the twenty-first of June, Anno Domini one thousand eight hundred and fifty-nine, providing for the election of justices of the peace, it becomes necessary, shall elect justices of the peace for said borough. Justices of the peace.

SECTION 3. That such election for corporation officers and justices of the peace, for said borough, shall be held and conducted at the place, and in the mode and manner, and by the same officers and persons, as the election for inspectors and assessors are held and conducted in said borough. Elections, where and how held.

SECTION 4. That the elections held heretofore by the qualified voters of the said borough, shall be as valid, to all intents and purposes, as the same would have been if granted by the court at the time they were incorporated. Certain elections declared valid.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 211.

A SUPPLEMENT

an act, entitled "An Act to incorporate the Lawsonham Bridge Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the number of directors now required by law to be elected, the stockholders of the Lawsonham bridge company, at their next annual meeting in January, one thousand eight

LAWS OF PENNSYLVANIA,

hundred and sixty-three, and at every annual meeting thereafter, shall choose, by a majority of votes present, three directors, two of whom, with the president, shall constitute a quorum for the transaction of business.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 212.

A FURTHER SUPPLEMENT

To an act appointing Commissioners to repair and keep in order the East and West State Road, in M'Kean county.

WHEREAS, J. R. Dodge was appointed one of the commissioners by the provisions of the first section of the act to which this is a supplement :

And whereas, The said J. R. Dodge has removed from the county, leaving a vacancy in the board of commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the appointment of the said J. R. Dodge is hereby vacated, and that John Mapes be and he is hereby appointed to fill said vacancy ; and that hereafter when any vacancy occurs by the death or removal of any of the commissioners appointed by said act, or by neglect to attend to the duties of the office, the court of common pleas of Warren county shall have authority to appoint a person to fill said vacancy.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 213.

A SUPPLEMENT

To an act, entitled "An Act to authorize the erection of a Poor House by the city of Carbondale, in the county of Luzerne."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time fixed by the fourth section of the act to which this is a supplement, for the appointment of a collector of poor taxes, and a steward, by the directors, be and the same is hereby changed; and hereafter instead of the time fixed by the said section, the appointment of the steward shall be made on or before the first day of April of each year, and the collector shall be appointed on or before the first day of July, in each year.

The time for the appointment of collector of poor taxes and steward changed.

SECTION 2. That hereafter the steward or superintendent of said poor house shall, on the last secular day of March in each year, furnish to the directors his annual statement of the income of real estate, and of personal property, expenses, et cetera, instead of on the first Monday of January, as required by the ninth section of said act; and the annual account required by the ninth section of said act, to be rendered by the treasurer to the directors on the first Monday of January, shall instead be rendered on the first Monday of April of each year for the year ending on the thirty-first day of March preceding; and the annual statement required by the ninth section of said act to be published by the directors in the month of January, shall instead be published in the same manner as therein required, in the month of April of each year.

Annual statements of steward, directors and treasurer, when to be made.

SECTION 3. That hereafter the time for the meeting of the auditors to settle the accounts of the directors, shall be on the second Tuesday of April in each year, instead of on the second Tuesday of February, as required by the tenth section of the said act.

Time for the meeting of auditors changed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 214.

AN ACT

To extend the time for the payment of the enrolment tax on an act to incorporate the Clearfield Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the payment of the enrolment tax on an act to incorporate the Clearfield gas company, approved twenty-fourth of March, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby extended for the period of six months from the passage of this act; and that upon payment of said enrolment tax, the said act is hereby declared to be in full force and effect.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 215.

AN ACT

To erect Oak Hall Independent School District, in Clarion county, into a separate and independent School District.

Preamble.

WHEREAS, An independent school district was erected by the court of common pleas of Clarion county, under the name and style of the Oak Hall independent school district; therefore,

An independent
and separate
school district
authorized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Oak Hall independent school district, in Clarion county, be and the same is hereby constituted an independent and separate school district, to be governed in all respects by the provisions of the general school law, except as hereinafter provided.*

Election of school
directors.

SECTION 2. *Be it further enacted, That the board of directors shall consist of three persons, and that an election shall be held*

at the usual place for holding elections in said district, on the second Tuesday of March, one thousand eight hundred and sixty-three, between the hours of one o'clock, P. M., and five o'clock, P. M., for one director to serve for three years, one director to serve for two years, and one director to serve for one year, and annually thereafter, for one director; the president of the board of directors shall be the judge, and the secretary of the board of directors shall be the inspector of said elections, the returns of which shall be made as now required by law.

Who to serve as election officers.

SECTION 3. That J. M. Turney, Jacob Barnhart and Thompson Core, shall constitute the board of directors until their successors shall be elected, under the provisions of this bill, and have been duly qualified.

Board of directors until election.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 216.

AN ACT

For the relief of Mrs. Mary Martin, widow of Armand Martin, an old soldier, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required, to pay to Mary Martin, of Iowa, formerly of Erie county, the widow of Armand Martin, an old soldier, deceased, or to her order, an annuity of forty dollars during her natural life, commencing with the first day of January, one thousand eight hundred and sixty-two, and payable half yearly thereafter on the first days of July and January.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 217.

AN ACT

To prevent the destruction of Deer in the counties of Bedford and Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the first day of July, Anno Domini one thousand eight hundred and sixty-two, it shall be unlawful for any person or persons, in the counties of Bedford and Somerset, with dogs, to hunt, chase, or follow, with a design to kill or destroy, any buck, doe or fawn, at any season of the year; and any person or persons who shall violate the provisions hereof, shall for each offence forfeit and pay the sum of twenty dollars, which penalty shall be collected, by suit, in the name of the commonwealth, to be brought before a justice of the peace, and tried as other cases for the recovery of debt; one half of said penalty shall be paid over to the party suing for the same, and the other half to the treasurer of the school district in which the offence was committed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 218.

AN ACT

Relative to Unseated Lands in the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall be lawful for the commissioners of Jefferson county to issue one general order for each township, for road and school taxes on unseated lands

in the different townships of said county; and that the fees for collecting the same be paid out of the road and school fund so collected.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 21^o.

A N A C T

For an additional Road Tax in South-West township, Warren county, and certain townships in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the road commissioners of South-West township, Warren county, and the townships of Allegheny, Cornplanter and Cherry Tree, in Venango county, are hereby authorized to levy and collect an additional tax, not to exceed ten mills on the dollar of the assessed valuation of said townships, for the years one thousand eight hundred and sixty-two and one thousand eight hundred and sixty-three, for road and bridge purposes, one-half to be paid in cash: Provided, That so much of said act as requires the one-half of said additional tax to be paid in cash, shall not apply to said townships of Allegheny, Cornplanter and Cherry Tree, in the county of Venango.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 220.

AN ACT

To incorporate the Union and Titusville Plank or Timber Road Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* F. F. Parson, P. G. Stranahan, Thomas Magatha, Jesse Smith, Nelson Watson, Gideon Irons, Josephus Rogers, John Ridgway, Jonathan Watson, Frank Fowler and John Clemens, be and any three of them are hereby appointed Commissioners, to open books, to receive subscriptions, and organize a company, by the name, **Style.** style and title of the Union and Titusville plank or timber road company, with power to construct a plank or timber road, **Route.** commencing at Union Mills, in the county of Erie, and running thence by such route as the president and managers thereof **Subject to.** may select, to Titusville, in Crawford county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto, except as may be hereinafter provided.

Capital stock. SECTION 2. That the capital stock of said company shall consist of one hundred shares at fifty dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as in their opinion may be necessary to complete the road and to carry out the true intent and meaning of this act.

When road to be commenced and completed. SECTION 3. That if said company shall not commence the construction of said road within one year, and complete the same within three years from the passage of this act, then this act shall be null and void, except so far as the same may be necessary to wind up and settle the affairs and pay the debts of said company.

Meeting of stockholders. SECTION 4. That whenever one hundred shares are subscribed, and ten per centum thereon paid in, a meeting may be called by any two stockholders in said company, by notices published in one newspaper published in the city of Erie, and one published in the county of Crawford, for at least two weeks, for the election of one person as president, and five persons as **Election of officers.** managers of said company, who shall hold their offices for one year and until their successors shall be elected.

Authorized to use other roads. SECTION 5. That said company shall have the right to use and occupy the whole or any part of any public road, lying in the route of said plank or timber road selected by the said president and managers, and to locate their road upon the

same, with the consent of the road commissioners of said townships.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 221.

AN ACT

Relative to the collection of State and County tax for the year one thousand eight hundred and sixty one, in the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful for the commissioners of Jefferson county to appoint collectors for the collection of taxes for the year one thousand eight hundred and sixty-one, in all townships where there has been no collectors for said year, and that they have power to make exonerations for military taxes, et cetera: *Provided however,* That said exonerations be made before the first day of May, Anno Domini one thousand eight hundred and sixty-two.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 222.

AN ACT

Declaring Little Toby creek a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the Little Toby creek is hereby declared a public highway, from the point where it is now a highway, up to Patrick Whalen's, in the township of Fox, county of Elk.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 223.

AN ACT

To repeal the act of May first, one thousand eight hundred and sixty-one, entitled "An Act repealing the act of thirteenth April, one thousand eight hundred and fifty-eight, repealing an act appointing commissioners to review and lay out a State road from Waynesburg, Greene county, to Benjamin Covert's, in Fayette county, and reviving the act of twelfth April, one thousand eight hundred and fifty-six."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act approved May first, one thousand eight hundred and sixty-one, entitled "An Act repealing the act of thirteenth April, one thousand eight hundred and fifty-eight, repealing an act appointing commissioners to review and lay out a State road from Waynesburg, in Greene county, to Benjamin Covert's, in Fayette county, and reviving the act of twelfth April, one thou-*

sand eight hundred and fifty-six," be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 224.

AN ACT

To ratify and confirm an Ordinance of the borough of Montoursville, in Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the ordinance of the town council of the borough of Montoursville, adopted February seventeenth, one thousand eight hundred and sixty-two, annexing certain territory adjacent thereto to said borough, on the petition of certain of the freeholders, be and the same is hereby legalized, and made of the same power and effect as if the same had been done in the first instance by an act of assembly; and the election, and all subsequent acts in pursuance of such annexation, intervening between the passage of the said ordinance and this act, is hereby legalized.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 225.

A N A C T

Repealing an act giving a bounty for the destruction of certain Wild Animals in Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of an act, entitled "An Act to encourage the destruction of wolves, panthers, and other wild animals, in Franklin, Cumberland, Bedford and Indiana counties, and for other purposes," approved the first day of March, Anno Domini one thousand eight hundred and forty-one, as relates to the county of Cumberland, be and the same is hereby repealed.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 226.

A S U P P L E M E N T

To the act appropriating the Moneys arising from fines and forfeitures, to county purposes, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and eighteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That one-half of the fines and other forfeitures in the county of Chester, which by the first section of the act of assembly, entitled "An Act appropriating the moneys arising from fines and forfeitures to county purposes," approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and eighteen, are directed to be paid to the respective county treasurers, for the use of the counties respectively, shall, in the said county of Chester, be paid to the treasurer of the Chester County Law and Miscellaneous library, for the use of the said*

corporation; and the books purchased by said library company shall be for the use of the several courts, the commissioners of said county, and the members of said association: *Provided*, That this section shall take effect from the first day of April, Anno Domini one thousand eight hundred and sixty-two, and shall continue in force for the period of five years.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 227.

AN ACT

For the relief of the sureties of William M'Candless, late Prothonotary of the Supreme Court for the Western district.

WHEREAS, Doubts exist as to the liability of the sureties of William M'Candless, late prothonotary of the supreme court for the Western district, upon the second bond executed by them; and the principal, and one of the sureties in the bonds of the said prothonotary, are now deceased, without estate to pay any liability to the commonwealth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That upon payment by Wilson M'Candless, the survivor of the said sureties, or upon his securing, to the satisfaction of the auditor general and state treasurer, to be paid into the treasury of the commonwealth, the sum of fourteen hundred and eighty dollars, the prothonotary of the district court of Allegheny county is hereby authorized and directed to enter satisfaction upon the several suits upon which judgments have been confessed for the penalty of the said bonds.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 228.

AN ACT

Incorporating the Union of the German Lutheran and German Reformed Church of St. John, of Tamaqua.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there is hereby created a corporation and body politic in law, by the name of "the Union of the German Lutheran and German Reformed church of St. John, Tamaqua," to have perpetual succession, and by the name aforesaid shall have all the rights and privileges incident to a corporation; and the members of the said corporation shall be such lay male members in full standing of the German Lutheran church and the German Reformed church of St. John, Tamaqua, in Schuylkill county, who shall pay to the treasurer of the corporation an entrance fee of three dollars.

SECTION 2. That the care and management of the property of the said corporation shall be vested in a board of eight trustees, who shall be elected in the following manner, viz: On the first day of January next, the lay male members of each of the said churches, who shall have paid three dollars entrance fee, as hereinafter provided, shall elect from their own number four trustees, two to serve for one year, and two to serve for two years, and annually, thereafter, two trustees to serve for two years; if the said first day of January should fall on Sunday, then the said election shall be held on the second day of January; if any member of the board shall duly resign, or cease to be a member in full standing of the church by which he was elected, the vacancy shall be filled by the appointment of another member of the corporation of that church, and this corporation, and such appointment shall be made by the church council of that church, from which such vacancy shall occur: *Provided,* That no person shall be allowed to vote at any election within three months after the payment of the entrance fee, excepting at the first election held under this act.

SECTION 3. That it shall be the duty of the trustees to elect at their first meeting, and annually, thereafter, to elect from their own number a president, secretary and treasurer; the trustees shall take charge of and keep in order the church edifice, school house and burial ground, and other property of the corporation, and shall allow and secure to each of the said congregations equal rights and privileges of worshipping and using the church edifice, school house and burial ground, and other property of the corporation, according to the rights, ceremonies and discipline of the said respective churches; and it shall also be the duty of the said trustees to conform to and carry into effect and execute all such by-laws, rules and regulations, as may from time to time be made and adopted by a majority of

the members of both of the said churches, members of this congregation, at a stated meeting, or a meeting called as provided only by this act: *Provided*, That no by-law, rule or regulation shall be contrary to the constitution and laws of this commonwealth. *Provide.*

SECTION 4. That a stated meeting of the corporation shall be held annually on the first Monday of April, and special meetings shall be called by the trustees, when requested by a resolution of the church council of either of the said churches; a majority of the members of each of the churches, members of this corporation, shall be necessary for the transaction of any business, and no by-law, rule or resolution shall have any force or effect, unless it is approved by a majority of the members of each of the said churches present at said meeting. *Annual and special meetings.*

SECTION 5. That Daniel Shepp shall be the treasurer to receive the entrance fee to be paid, to entitle the members of the churches aforesaid to become members of this corporation, and vote at the first election held under this act, and until a treasurer shall be elected, when he shall pay over to the treasurer all moneys that he may receive by virtue of this act. *Treasurer.*

SECTION 6. That from and after the first Tuesday of April next, the corporation called the German Lutheran and German Reformed church of St. John, of Tamaqua, shall be dissolved, and from thenceforth the charter granted to the said corporation, by the court of common pleas of Schuylkill county, shall be annulled and of no effect, and all the property of the said corporation shall be vested in the corporation created by this act: *Former corporation dissolved.* *Right of burial retained.* *•* *Provided*, That such persons who are not members of either of the said churches, who may have acquired a burial right in the burial ground, may retain that right as heretofore, by the payment of one dollar per year.

SECTION 7. That William B. Bensinger and Daniel Shepp shall hold the first election to be held under this act, to be held on the first Monday of April next, in St. John's church, Tamaqua, between the hours of two o'clock, P. M., and five o'clock, P. M., of that day; and that the terms of the officers elected on the said first Monday of April next, shall expire as soon as the officers elected on the first day of January next shall be duly qualified. *Officers to conduct first election.*

SECTION 8. That all the acts of the German Lutheran and German Reformed church of St. John, of Tamaqua, through their regular constituted officers, shall be and remain of the same force and validity as if this act had not been passed. *Acts of former corporation to remain valid.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 229.

AN ACT

Providing for the introduction of Water into the borough of Hazleton.

WHEREAS, The Hazleton coal company have constructed a reservoir and laid iron pipes, for the purpose of conducting water through the borough of Hazleton, to supply their coal works, and other improvements, and are willing to furnish water to the inhabitants of said borough; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Hazleton coal company shall have all the rights and privileges, and be subject to all the conditions contained in the tenth, eleventh, fourteenth and fifteenth sections of an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, Anno Domini eighteen hundred and fifty-seven: Provided, That the prices to be charged by the said company, for the use of water, shall not exceed the rates charged by the city of Philadelphia.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED.—The eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 230.

AN ACT

To attach a part of Carroll township, in the county of Washington, to the borough of Monongahela City, for School purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all that part of Carroll township, beginning at the lower end of the Monongahela City borough line, near to William Corrin's house; thence down the Monongahela river to a stone house on the bank thereof near to Dry run; thence to the Washington*

Part of Carroll township annexed to Monongahela City for school purposes.

and Williamsport turnpike, so as to include the land of Edward Kearney; thence to Pigeon creek, at or near the line between lands of Eliza Teeple and Isaac Vanvoorhis; thence up said creek to the mouth of Maple's run; thence up said run to the line between the land of James Williams and land of W. W. Patrick and company; and thence to the Monongahela river, including land of James Williams, Joseph Warne, and heirs of Samuel Hill, deceased; and thence down the Monongahela river to the Monongahela City borough line, be and the same is hereby attached to the said borough of Monongahela City for school purposes; and that hereafter the school directors of said borough shall have authority to levy and collect all school taxes that may be assessed on the property within the above described limits.

Assessment and collection of school taxes within territory annexed.

SECTION 2. That the legal voters residing within the bounds of the territory described in the first section of this act, shall be eligible to and entitled to vote for school directors, at any election for school directors which may be held in the borough of Monongahela City, and shall hold and enjoy all the rights and privileges, so far as relates to schools, as fully and perfectly as though residing within said borough.

Rights and privileges of voters therein.

SECTION 3. That the assessor for county rates in and for the township of Carroll shall, immediately after the passage of this act, and at the time of making the regular assessment in each year thereafter, mark the taxables and taxable property included in that portion of said township annexed by this act to the borough of Monongahela City for school purposes, with the letters M. C., to signify that they belong, under the terms of this act, to the Monongahela City school district; and it shall be the duty of the county commissioners of the county of Washington, in furnishing to the board of directors of the Monongahela City school district a copy of the last adjusted valuation in and for said borough, to include therein also all the taxables and taxable property in that part of the said township of Carroll annexed to the borough of Monongahela City, and marked with the letters M. C., as above directed.

Duties of assessor of Carroll township and county commissioners.

SECTION 4. That it shall be the duty of the county commissioners of the county of Washington, to certify to the state superintendent of common schools, a list of the resident taxables, in the Monongahela City school district, as enlarged by this act, as the basis for distribution of the state appropriation.

County commissioners to certify to the state superintendent a list of resident taxables.

SECTION 5. That it shall be the duty of the collector of school taxes for the borough of Monongahela City, to collect the taxes assessed for school purposes in the territory described in the first section of this act, and for that purpose he is hereby invested with the same authority, and shall make return thereof as required by law.

Duty of tax collector.

SECTION 6. That so much of the township of Carroll, as is hereby annexed to the borough of Monongahela City for school purposes, be and the same is hereby exempt from taxation for school purposes in the township of Carroll.

Part annexed exempt from school tax in the township.

SECTION 7. That the school directors of Monongahela City shall possess and exercise, over the territory described in the first section, and by this act attached to the borough of Monongahela City for school purposes, all the authority, rights and

Powers of school directors of Monongahela City.

LAWS OF PENNSYLVANIA,

privileges, and be subject to all the restrictions contained in the school laws of this commonwealth, except so far as they are changed by this act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 231.

AN ACT

Relating to a Justice of the Peace in the borough of Beaver, Beaver county.

WHEREAS, At an election held in the borough of Beaver, in the county of Beaver, on the sixteenth day of March, Anno Domini one thousand eight hundred and sixty, Richard H. Agnew was duly elected to the office of justice of the peace for said borough, but was erroneously returned, by the officers holding said election, to the secretary of the commonwealth, as elected a justice of the peace for Borough township, in said county, and was commissioned accordingly, and has since discharged the duties of said office under and by virtue of said commission.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the return of the commission now held by the said Richard H. Agnew, as justice of the peace for Borough township, in the county of Beaver, the secretary of the commonwealth shall issue to him a commission of justice of the peace for the borough of Beaver, in said county, for the unexpired term of the said original commission; and that all the official acts and adjudications of the said Richard H. Agnew, heretofore done or made, or which may hereafter be done or made, in pursuance and by virtue of his commission as justice of the peace for the township of Borough, in the county aforesaid, and all official acts and adjudications heretofore done or made by him, under and by virtue of the commission hereby authorized to be issued, shall be valid, to all intents and purposes, as if the said Richard

H. Agnew had been duly returned and commissioned a justice of the peace for the borough of Beaver.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 232.

AN ACT

For the relief of the sureties of Joseph H. Kelton, late Supervisor of the West Branch division of the Pennsylvania canal.

WHEREAS, The sureties of Joseph H. Kelton, late supervisor of the West Branch division of the Pennsylvania canal, renewed their bonds to the commonwealth, upon the assurances of the proper officers that said Kelton was not indebted to the state:

And whereas, The said Kelton was a defaulter to the state at the time the assurances were given and the bonds renewed:

And whereas, The said sureties have already paid into the state treasury, on account of the defalcation of said Kelton, the sum of three thousand dollars, being within four hundred and thirty dollars and ninety-one cents of the whole defalcation of said Kelton; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That O. Watson, M. Eder and George White, sureties of Joseph H. Kelton, be and the same are hereby released from the payment of any balance that may be due the state on their bond or bonds as sureties.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 233.

A N A C T

Supplementary to the several acts of this Commonwealth for the sale of
Unseated Lands.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case of the sale, by any county treasurer, of any unseated tract or tracts of land, for taxes, which may be interfered with by the surveys or titles of other claimants to said tract or tracts, it shall be lawful for any such claimant or claimants, within two years after any existing or future sale, to offer or tender the legal amount of taxes assessed upon so much of the said tract or tracts of land, as shall be included within the lines under which said claimants claim or hold title, and of the cost, together with the additional twenty-five per cent. on the same, equal to the proportionate part so included within the lines aforesaid, to the county treasurer, who is hereby authorized and required to receive and receipt for the same, and pay it over to the purchaser, on demand; which said redemption shall be as effectual, for the protection, to all intents and purposes, of said claimant or claimants' title within the lines of his survey or claim, as if the said redemption had been made for and included all the land within the lines of said interferences; any law, usage or custom to the contrary notwithstanding.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 234.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the city of Carbondale," approved the fifteenth day of March, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the clerk of the mayor's court for the city of Carbondale, shall demand and receive for the use of the commonwealth, the like taxes on the entry of judgments and the issuing of writs, as are now received by the prothonotary of Luzerne county; and the provisions of all acts of assembly relative to such taxes, are hereby extended to the taxes thus received; and out of the first moneys so received, the clerk of said court shall pay to Henry Wilson, of said city, for his services heretofore rendered as auditor, under appointment by said court, such reasonable sum as said court may direct.

Clerk of mayor's court to receive same taxes on judgments, &c., as prothonotary.

Pay of Henry Wilson as auditor

SECTION 2. The fees of the prosecuting attorney of said court shall be the same as those received for like services by the district attorneys of the several counties of this commonwealth, and shall be paid by the said city in all cases in which the party or parties liable for the payment of costs shall not have property sufficient to satisfy the same, or is lawfully discharged without payment thereof; and any attorney of said court, residing within its jurisdiction, shall be eligible to said office.

Fees of prosecuting attorney, how paid.

Eligibility.

SECTION 3. The said mayor's court shall have jurisdiction of all actions on recognizances taken in said court, or forfeited therein, when the defendant or defendants shall reside in Luzerne county, and no action shall be brought against said city, except in the said mayor's court, or before an alderman of said city; and in all actions by or against the said city, before an alderman, either party shall have the right to appeal.

Jurisdiction of Mayor's court.

Appeal.

SECTION 4. On writs of execution issued from said court, the marshal may proceed to collect all fees of officers due thereon, notwithstanding any order for the stay thereof not made by the said court when in session, unless the same be paid by the party desiring such stay: *Provided,* That if the defendant, in any execution, shall make affidavit that before the same was issued, he had fully paid the amount due on the judgment on which such execution was issued, the marshal shall return the said writ with the affidavit annexed, without the payment of costs; and when any such writ is stayed, on application of the defendant, if he shall neglect to apply to said court, at its next session, for the necessary rules or orders to enable him to establish his defence, the plaintiff may issue other writs of execution, which shall not be stayed for the same cause as before; and no order by any associate judge of said court shall be available to stay any writ of execution, unless two days' written notice be given

Collection of officers' fees.

Proviso.

Stay of execution, relative to.

to plaintiff therein, or his attorney, of the time and place at which the application for such stay shall be heard and decided, and also security given to the marshal, such as he may approve, for the due return of all chattels that may have been levied on.

Provisions of certain act extended to.

SECTION 5. The provisions of the act, entitled, "An Act relative to suits by sheriffs, prothonotaries, and other officers of Westmoreland, Lycoming and Washington counties," approved the sixth day of May, Anno Domini one thousand eight hundred and fifty-four, are hereby extended to suits by officers of said mayor's court.

Election returns to be filed.

SECTION 6. The returns of all elections authorized by the act to which this is a supplement, or by any supplement thereto, shall be filed in the office of the clerk of said court; and the return judges shall meet at the court house in said city, at twelve o'clock, M., of the day following the election, and perform the duties required of return judges by the election laws

Meeting of return judges.

Compensation.

of this commonwealth, for which they shall receive the sum of one dollar each, to be paid by said city; and said mayor's court shall have jurisdiction of all contested elections of officers voted for at such elections, including the select and common councilmen: *Provided*, That the petition of the contestant shall be filed

Contested elections.

Provide.

in the office of the clerk of the mayor's court, within fifteen days after the Friday next following the election of select and common councilmen; and so much of any act as is inconsistent herewith, is hereby repealed.

Repeal.

Auditors may act as clerk of courts and constables as marshal in certain cases.

SECTION 7. When the clerk of said court is a party to any action therein, his duties may be performed by any of the auditors of said city, or by any other person whom the court may appoint; and when the marshal of said city is a party to any proceeding in said court, his duties may be performed by any constable of Luzerne county.

Sureties for tax-collectors not eligible as councilmen and auditors.

SECTION 8. No person shall be eligible to hold the office of select councilmen or auditor of said city, if said person is bail or surety on any bond of any collector of city taxes.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 235.

AN ACT

Relating to the selling of the repairing of the public roads in the township of Blakely, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified voters of the township of Blakely, in Election of supervisors. Luzerne county, shall vote for but one supervisor, instead of two, and the two persons having the greatest number of votes for supervisor shall be the supervisors of said township, for the year then next ensuing; each of said supervisors shall give bond, Bond to be given. with security, as provided for in the first section of the act of the seventeenth day of February, one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," for the faithful performance of their duties, respectively; and said supervisors shall, after having given at least two weeks' notice Notice of giving out the repairing of roads and bridges. of the time and place, by putting up at least six written or printed notices in as many of the most public places in said township, before the fifteenth day of April of each and every year, give out by public outcry, to the lowest and best bidder, the repairing and keeping in repair of all the then existing public roads and bridges in said township, except bridges over the Lackawanna river, for the ensuing year, in one lot; all bridges over Bridges over the Lackawanna river requiring to be re-built or repaired, where the probable expense shall exceed twenty-five dollars, and all new roads required to be made from time to time in said town- New roads. ship, shall be let on one week's notice, and in the same manner.

SECTION 2. That the second, third, fourth and fifth sections of the act approved the nineteenth day of January, one thousand eight hundred and sixty, in relation to the selling of the repairing of the public roads in Schuylkill county, be and the same are hereby applied and extended to the township of Blakely, in Luzerne county: *Provided,* That the compensation of the supervisors of said township shall in no case exceed the sum of fifty dollars per year to each of them, for their services as super- Compensation of supervisors. visors of said township.

SECTION 3. That the provisions of this act shall apply to the supervisors of said township, elected in said township in the Construction of this act. year one thousand eight hundred and sixty-two.

SECTION 4. That all acts or parts of acts of the general assembly inconsistent with the provisions of this act, be and the same are hereby repealed, as to the said township of Blakely. Repeal.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL.

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 236.

A SUPPLEMENT

To an act to authorize the erection of a poor house by the township of Blakely, in Luzerne county, approved the seventeenth day of March, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the directors of the poor in the township of Blakely, in Luzerne county, shall be appointed by the court of quarter sessions of said county of Luzerne. That the said court shall, at its January term in the year one thousand eight hundred and sixty-three, and every third year thereafter, appoint three suitable persons as directors of the poor in said township of Blakely, who shall hold office for the term of three years from the first day of April then next ensuing their appointment. All vacancies in the said office of director shall be filled by the court of quarter sessions of Luzerne county, until the regular time for appointing directors, as aforesaid.

Directors of the poor to be appointed by court.

Repeal.

SECTION 2. That so much of the third section of the act to which this is a supplement, as is inconsistent herewith, be and is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 237.

AN ACT

Relative to certain annuities granted to the Catholic church of Haycock township, in Bucks county.

Preamble.

WHEREAS, Patrick Mulvany, late of Tinticum township, Bucks county, and commonwealth of Pennsylvania, being seized of a certain messuage and tract of land, situate in said township, made his last will and testament, bearing date the twenty-first day of April, Anno Domini one thousand eight hundred and

forty-four, which was duly admitted to probate on the eleventh day of June, Anno Domini one thousand eight hundred and forty-six, by the register of Bucks county, wherein, among other things, he directed as follows:

ITEM.—I give and bequeath unto the Catholic church in Haycock township, fifty dollars annually, forever, after my farm is sold; the payment of the same to be secured in the said farm, as above set forth, which is to be paid to the trustees of the said church, and by them applied to the support of a minister for said church.

ITEM.—I give and bequeath to my wife Bridget, fifty dollars a year during her natural life, to be secured in the same manner as the above bequest, and at her decease the same to descend to the Catholic church of Haycock forever, for the support of the said church.

And whereas, It is proposed by the members of the said church and those interested, to devote the property devised to the said Catholic church, as above set forth, to educational purposes; and it has been agreed by and between them and Matthew Sheridan, who is the owner of the said farm, to commute the said annuities to the said church, at and for the sum of one thousand six hundred and sixty-six dollars, payable presently; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Matthew Sheridan is hereby authorized and empowered to pay to James F. Wood, bishop of the diocese of Philadelphia, and trustee for the Catholic church of Haycock township, Bucks county, the sum of one thousand six hundred and sixty-six dollars, and thereupon to receive a full, complete and effectual release and discharge of and from the payment of the said annuities to the said Catholic church and their trustees, and of and from all liens therefor.

Matthew Sheridan authorised to pay certain annuities to the Catholic church.

SECTION 2. That the said James F. Wood, his heirs and assigns, is to have and to hold the said sum of one thousand six hundred and sixty-six dollars in trust forthwith, under the direction and approbation of the orphans' court of Bucks county, to invest the same in real estate or otherwise, and the proceeds or annual income thereof to be applied from time to time, and forever hereafter, to the support and maintenance of a school or schools for the education of the young, to be located in the parish of Haycock aforesaid: *Provided*, That nothing herein contained shall impair or affect the right or lien of Bridget Mulvany, widow of the said Patrick Mulvany, to receive her annuity of fifty dollars during her natural life.

How to be held.
Application of income, &c.
Provided.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 238.

AN ACT

Relative to the Philadelphia and Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the privileges granted and conferred upon the Schuylkill navigation company, by the first section of the act, approved the fifth day of April, one thousand eight hundred and fifty-nine, entitled "A further supplement to an act to authorize the governor to incorporate a company to make a lock navigation on the river Schuylkill, passed the eighth day of March, one thousand eight hundred and fifteen," be and the same are hereby extended to and conferred upon the Philadelphia and Reading railroad company; and that it may be lawful for the Philadelphia and Reading railroad company to aid in the construction of, or to own in whole or in part, or to charter vessels engaged in or for the transportation of coal from the port of Philadelphia.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 239.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Philadelphia and Crescent navigation company," approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the California, Philadelphia and European steamship company is hereby authorized to borrow, from time to time, a sum or sums of money not exceeding in amount one-half the value of the steamship or steamships that may be built and owned by said company, and to issue bonds in sums of not less than one*

hundred dollars each, bearing an interest not exceeding ten per centum per annum, with semi-annual coupons attached; and may secure any or all of said bonds by a mortgage or mortgages upon one or more of the steamships of said company. And all railroad companies, having a terminus at Philadelphia, and other corporations therein located, are hereby authorized to subscribe to the stock of said steamship company, or to invest moneys in the bonds thereof, anything in their respective charters to the contrary notwithstanding, to an amount not exceeding two hundred and fifty thousand dollars for each steamship that the company may build, of six thousand or more tons burthen. And the said company may employ all such surplus capital as may belong or accrue to the said company, in the purchase of public or other stocks, or in any other moneyed transactions or operations, for the sole benefit of the said company. And after two steamships shall have been completed and put in use by said company, the capital stock thereof may be increased by the sum of three hundred thousand dollars for each additional steamship completed and put in use by the said company; and said additional stock, or any part thereof, as well as the capital stock heretofore authorized, or any part thereof, may be issued in shares of the par value of fifty dollars.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 240.

A SUPPLEMENT

To a resolution to protect Laborers and Contractors, approved January twenty-first, Anno Domini one thousand eight hundred and forty-three.

WHEREAS, It frequently happens that incorporated companies, by assignment, conveyance, mortgage or other transfer, divest themselves of their real and personal estate, in contravention of the provisions of the resolution of January twenty-first, one thousand eight hundred and forty-three; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever any incorporated company, subject to the provisions of the above resolution, shall divest themselves of their real or*

personal estate, contrary to the provisions of the said resolution, it shall and may be lawful for any contractor, laborer or workman employed in the construction or repair of the improvements of said company, having obtained judgment against the said company, to issue a *scire facias* upon said judgment, with notice to any person, or to any incorporated company claiming to hold or own said real or personal estate, to be served in the same manner as a summons upon the defendant, if it can be found in the county, and upon the person or persons, or incorporated company claiming to hold or own such real estate; and if the defendant cannot be found, then upon the return of one *nihil* and service as aforesaid, on the person or persons, or company claiming to hold or own as aforesaid, the case to proceed as in other cases of *scire facias* on judgment against terre tenants.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 241.

AN ACT

Supplemental to an act incorporating the Schuylkill and Susquehanna Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Schuylkill and Susquehanna railroad company be and they are hereby authorized to construct such branch railroads as they may deem expedient, each not exceeding ten miles in length: Provided, The entire charge for freight on coal, on each such branch, shall not exceed two and one-half cents per ton of two thousand two hundred and forty pounds per mile.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domin one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 242.

AN ACT

To vacate a certain road in the borough of Millersburg, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Creek road, in the borough of Millersburg, running through G. W. Bower's land, a distance of three hundred and seventy-six feet, be and the same is hereby vacated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

We do certify, that the bill, entitled "An Act to vacate a certain road in the borough of Millersburg, in the county of Dauphin," was presented to the governor on the twentieth day of March, one thousand eight hundred and sixty-two, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. W. CAPRON,
Asst. Clerk of the House of Representatives.

GEO. W. HAMERSLY,
Clerk of the Senate.

No. 243.

AN ACT

To incorporate the New London Association for Detecting Thieves and the recovery of stolen property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the present members of the New London association for detecting thieves and the recovery of stolen property, in the county of Chester, and such other persons as shall become associated with them as members thereof, according to their by-laws, be Incorporation.

- and they hereby are incorporated into a body politic, by the name and title aforesaid, with all the privileges, immunities and liabilities belonging to such body.
- Title.**
- Objects.** SECTION 2. That the object of said association shall be the recovery of stolen property and the detection and prosecution of thieves.
- Association fund, how to be raised.** SECTION 3. That in order to carry out the objects aforesaid, it shall and may be lawful for the said association, by their by-laws, to provide for raising a fund by fee for admission of members, assessments on the members, fines on officers and members for failure or neglect of any duty which may be lawfully imposed upon them; and said fees, assessments and fines, may be collected by suit, in the name of the association, against the delinquents, as debts of like amount may now by law be collected.
- Officers.** SECTION 4. That the officers of the society shall be a president, secretary and treasurer, and twelve managers, who shall compose a board of direction, and shall be annually chosen, by ballot, at a general meeting of the association: *Provided*, That the offices of secretary and treasurer may be held by the same person; the said officers shall continue in office for one year, and until their successors are chosen; the first board of direction shall consist of the following persons, viz: John M. Kelton, president; Thomas M. Harvey, secretary and treasurer; William Hughes, Lewis Michener, Alfred F. Conrad, Enoch Moore, Thomas Garothrop, Edward Conrad, Franklin Gillespie, Josiah W. Dance, John K. Steel, George Wilson, James H. Strawbridge, managers, who shall continue in office until the first annual general meeting after the passage of this act, and until their successors are chosen.
- Proviso.**
- Directors to have power of constable.** SECTION 5. That each of the members of the board of direction shall have the power and authority of a constable, so far as may be necessary to carry out the objects of the association, and may execute warrants for that purpose, issued by justices of the peace and aldermen, and shall be liable to all the responsibilities of constables in the exercise of said power and authority: *Provided*, That they shall not be liable to the performance of any service except as directed by the by-laws of the association, nor shall they be entitled to any fees or compensation for their services, except out of the funds of the association and according to the by-laws or other regulations thereof.
- Proviso.**
- Oath to be taken by directors.** SECTION 6. That the members of said board of direction, before entering upon the duties of their office, shall respectively take an oath or affirmation, of which a record shall be kept by the officer administering the same, to support the constitution of the United States, and bear faithful allegiance to the same above the constitution, laws or ordinances of any other state or authority whatever; to support the constitution of the commonwealth of Pennsylvania, and perform the duties of their office with fidelity.
- Meetings.** SECTION 7. That a general meeting of the association shall be held annually, at such time as shall be fixed by the by-laws, and at such place as the board of direction may from time to time direct; the board of direction shall have power to call special meetings of the association in their discretion; notice

of every meeting of the association shall be given for twenty days, by weekly publication in two newspapers in the county of Chester; and in case any vacancy should occur in the board of direction during the year, the said board shall fill the same until the next annual election. Vacancies.

SECTION 8. That it shall be the duty of the board of direction, By-laws. as soon as may be after the acceptance of this act, to prepare by-laws for the admission and expulsion of members, and for the general regulation and government of said association, and for carrying out its objects; and before said by-laws shall go into effect, they shall be approved by a meeting of the association, convened in the manner herein directed, and in the meantime the present laws and regulations of the association shall be in force as heretofore: *Provided*, That none of the by-laws, Provide. rules or regulations of said association, shall be in conflict with the constitution and laws of this commonwealth or of the United States: *And provided further*, That none of said by-laws shall Provide. be altered or repealed, except by a vote of two-thirds at any general or special meeting of said association.

SECTION 9. That twenty members of the association shall be Quorum. necessary to constitute a quorum at any meeting thereof; this act shall not go into effect until the same shall be accepted by a majority of the association, at a meeting thereof, to be convened as soon as may be after the passage of this act, upon the call of the present officers, in the manner hereinbefore directed, When this act to take effect. in which call shall be stated the object of the meeting.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 244.

A N A C T

To incorporate the Pennsylvania Lying-in and Foundling Hospital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Harrison, jr., Matthew Newkirk, Joseph S. Longshore, Corporators. M. D., Joseph S. Brewster, George W. Biddle, William M. Swain, Hon. Joseph Allison, Richard Vaux, Richard Simpson, Isaac Lukens, M. D., Edwin D. Buckman, M. D., Aaron Thomp-

	son, William Schmoële, M. D., Charles A. Leech, M. D., Wm. Armstrong, M. D., Geo. A. Wright, Thomas Mills, Washington J. Duffy, M. D., Bernard Beran, M. D., Augustus De Kalb Tarr, M. D., Joseph Moore, A. R. Thomas, M. D., Seth Pancoast, M. D., John Sherry, Henry C. Fox, Peter C. Thompson, George Patchell and L. W. Buffington, M. D., are and their associates and successors, be and are hereby constituted a body politic and corporate in law, by the name, style and title of the Pennsylvania Lying-in and Foundling hospital, and by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, and shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors and assigns, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain or sale, will, devise or bequest, from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage and convey, in such manner as the said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever, and to make, have and use a common seal, under and by which all deeds, certificates, assurances and acts of the said corporation shall pass and be authenticated, and the same to alter or renew at pleasure, and generally to do all things which may be lawful or necessary for the well being and proper management of the said corporation: <i>Provided</i> , That the real estate of the said corporation shall not at any time exceed the clear yearly income of twenty thousand dollars.
Title.	
Powers.	
Seal.	
Proviso.	
Capital stock.	SECTION 2. That the capital stock of the said corporation shall consist of sixty thousand dollars, to be divided into six thousand shares of ten dollars each; and the said corporation shall have authority to borrow money at any time, not exceeding in amount fifty thousand dollars, to be secured by bonds and mortgages of the real estate of the corporation.
May borrow money.	
Misnomer.	SECTION 3. That no misnomer of the said corporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto, or any act or deed intended to be done or made thereby.
By-laws.	SECTION 4. That the said corporation shall have full power to make and establish by-laws for the proper administration of the hospital, and the due management and government of the said corporation, and the same to amend, alter or repeal at pleasure.
Powers and duties of managers.	SECTION 5. That the managers of the said corporation shall have power to bind, by indenture, any and every such foundling or orphan child who shall have been nurtured and cared for by said managers, and shall have remained in the said institution until he or she may have arrived at an age and size deemed by said managers to be sufficient to serve as apprentice to any suitable person in this commonwealth, in either of the occupations of agriculture, navigation, arts, mechanical trades, callings and manufactures, according to their sex or fitness; and the said children shall be bound to serve the time in his or her respective indenture contained, so as such time or term of years of such apprentice do expire at the full age of twenty-one years for males, and eighteen for females, as fully, to all intents and purposes, as if he or she were of full age a

the time of making such indenture; and the said indenture shall contain, and be deemed valid in containing such covenants and stipulations for the feeding, clothing and educating such apprentice, as is now provided for by the existing laws of this commonwealth; and in case the master or mistress of any such, or either of such apprentice shall die, or the indenture be otherwise legally cancelled before the expiration of such apprenticeship, it shall be lawful for the said managers, or such person as they may direct, again to bind such child to such other person in this commonwealth as they shall approve, being one of the occupations aforesaid; and so on from time to as often as such master or mistress shall die, or the indenture be cancelled as aforesaid, before such apprentice shall attain the age of twenty-one years, if a male, and eighteen years, if a female; all which indentures shall be of the same effect and validity, and shall in all respects be as subject to the acts of assembly which now are, or at the time shall be in force in this state in regard to apprentices and their masters or mistresses, as if the said indentures had been made by parents and guardians of such children, in conformity to the said acts; and the said managers shall be the guardians of such children from the time they enter the said institution, and during the minority of every such child, as well after the binding as before, and shall possess or become entitled to any property or effects belonging to any such child, and shall be entitled in like manner as other guardians of the person and estate of minors are by law entitled, and the same to ask, demand and receive from any person or persons having possession thereof, or owning the same, and give acquittances therefor; and it shall be the duty of the said managers to take care of the same, as guardians are by law required, and make the same productive as far as reasonably can be, and to deliver and pay over the same, with the increase, to the apprentice, on his or her attaining the respective ages of twenty-one years, if a male, and eighteen years, if a female, or to his or her legal representatives, if he or she shall die before attaining the said ages, respectively.

SECTION 6. The said corporators, or a majority of them, are hereby authorized to meet on a day, to be designated by themselves, at a convenient place in the city of Philadelphia, and to choose from their own number eleven persons as managers thereof, whose term of service and duties shall be fixed by the by-laws; and the said managers shall elect a president, and such other officers as may be required by the by-laws. Meeting.
Election of officers.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 245.

A SUPPLEMENT

To the act to incorporate the Citizens' Passenger Railway Company of the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That full power be given to the Citizens' Passenger railway company, of the city of Pittsburg, to carry freight over their road: Provided, The said company shall extend and complete their said road to the iron works of Lewis Dalzell and Company, in the borough of Sharpsburg: And provided, The councils of the city of Pittsburg shall have authority to fix the number of freight cars, and regulate the manner of running the same over said road.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 246.

AN ACT

To incorporate the Altoona Academy.

<p>Academy established.</p> <p>Name.</p> <p>Trustees.</p>	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That there shall be and is hereby established and created in the borough of Altoona, in the county of Blair, an academy for the education of youth in the English and other languages, and in the useful arts, sciences and literature, by the name, style and title of the Altoona academy; the said academy to be under the direction, management and government of a board of trustees, not exceeding five in number, three of whom shall constitute a quorum for the transaction of business; which trustees, and</i></p>
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their successors, shall be and they are hereby erected, established and declared to be a body politic and corporate, with perpetual **Powers.** succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the trustees of the Altoona academy; by which name and title the said trustees, and their successors, shall be able in law and in equity to take to themselves and their successors, for the use of said academy, any estate, messuages, lands, tenements, hereditaments, goods, chattels, moneys and estates, real and personal, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, of any person or persons whatsoever; and the same messuages, lands, tenements, hereditaments, goods, chattels, moneys and estates, real and personal, to grant, bargain, sell, convey, assure, devise, mortgage, improve, repair, and to farm, let, or otherwise dispose of or invest, in such a manner as to them, or a quorum of them, shall seem most beneficial to the institution, or to receive the rents, issues, profits and income of the same, for the use of the academy; and by the same name to sue, prosecute and defend, implead and be impleaded, in any courts of law or equity, and in all manner of suits and actions whatsoever; to erect such buildings as may be necessary, and to employ competent teachers, and to provide for the payment of debts, and generally to do all and singular the acts, deeds, matters and things, which shall be lawful for them to do for the well being of the said academy and the due management thereof: *Provided*, That the yearly income of the real and personal estate owned by said corporation, shall not exceed the sum of five thousand dollars.

Provide.

SECTION 2. That until trustees and treasurer for said academy shall be elected, in the manner herein provided, George W. Sparks, Augustus D. Cheny, William R. Findley, Ambrose Ward and John B. Warfel, shall be and they are hereby authorized to serve as trustees; and Benjamin F. Rose shall be and is hereby authorized to serve as treasurer.

Trustees and treasurer appointed.

SECTION 3. That the first election of trustees and treasurer shall take place on the first Saturday in May, one thousand eight hundred and sixty-two, at such place as may be appointed by the trustees herein named, and on the same day annually thereafter, at such place as may be appointed by the trustees, or a majority of them, the stockholders of the academy shall elect, by ballot, by a majority of the votes present, to be given in person, or by proxy duly authorized, five trustees and one treasurer, who shall continue in office for one year, or until others shall be duly chosen and qualified; the trustees, or a majority of them, so elected, shall meet at the academy building within ten days after their election, and elect, by ballot, by a majority of the votes present, out of their own number, one person to act as president and one person to act as secretary; the election of trustees and treasurer shall commence at two o'clock in the afternoon, and shall continue until four o'clock of the same day, and shall be conducted by two inspectors, chosen by the board of trustees from among the stockholders; and the stockholders shall be allowed to vote in the ratio of one vote for each share of stock held by him, her or them, or standing in his, her or their names in the book of the corporation; the votes shall be

Election.**Official term.****Meeting of trustees.****Elections, when held and how conducted.****Votes.**

given by ballot, and each ticket shall be labelled on the outside "trustees of the Altoona academy," and contain the names of five persons, stockholders of said corporation; and those having the highest number of votes shall be trustees; at the same time and place, the said stockholders shall elect, in the manner provided for trustees, one person, who shall be a stockholder, as treasurer; and the person having the highest number of votes shall be treasurer; and if two or more persons have an equal number of votes, the inspectors shall forthwith decide, by ballot, which of said persons are elected: *Provided*, That no person shall have more than four votes at any election, whatever number of shares he or she may be entitled to.

Provide.

Vacancies.

Notice of elections.

SECTION 4. That in case of the death, resignation or refusal to serve, of any trustee or officer, the trustees, or a majority of them, shall have power to order a special election to fill such vacancies until the next annual election: *Provided*, That in all elections of trustees and treasurer, at least ten days' written notice thereof shall be put in some public place, at the academy, by the president of the board of trustees.

Corporation not to be dissolved by failure to hold election.

SECTION 5. That no failure of election of officers on the day appointed, shall dissolve this corporation, but the trustees and treasurer, and other officers, shall continue in office until an election shall be ordered by the trustees, or a majority of them, which said election shall be held at the academy building, and at least thirty days' written notice thereof shall be put up in some public place at the academy, by the president of the board of trustees.

Duties of treasurer.

SECTION 6. That the treasurer shall receive and hold all moneys belonging to the corporation, and pay out the same to the order of the board of trustees, signed by the president and secretary, and shall keep fair accounts thereof, which shall be audited and settled by the trustees annually, and shall pay over all moneys remaining in his hands at the end of the year to his successor; and the secretary and treasurer may receive such compensation as may be thought reasonable by the board of trustees; and it shall be the duty of the trustees to report annually, at the expiration of their term of office, the condition of the finances and other affairs of said corporation; which report, together with the books of the corporation, shall be open at all times to the examination and inspection of all persons interested, who are at such times stockholders in said corporation.

Compensation of secretary and treasurer.

Trustees to make annual report.

Subscriptions to stock.

SECTION 7. That the said trustees, herein named, are hereby authorized to open books, on or before the third day of May, one thousand eight hundred and sixty-two, and enter thereon, as follows: We, whose names are hereunto subscribed, do promise to pay to the trustees of the Altoona academy, the sum of twenty-five dollars for each share of stock set opposite to our respective names, in such manner and proportions, and at such time or times, as shall be required by said trustees; the whole of said stock, by each of us subscribed, to be paid within one year from the time of subscribing; and shall thereupon proceed to receive subscriptions for the stock of said corporation, not exceeding, in the whole, the sum of ten thousand dollars, divided into shares of twenty-five dollars each, at such times and places as they may deem advisable.

SECTION 8. That the said trustees shall procure written certificates, and deliver to each stockholder a certificate, signed by the president of the board of trustees, countersigned by the secretary, and sealed with the seal of the corporation, for the share or shares of stock by him, her or them held, or heretofore subscribed, or that may hereafter be subscribed upon payment to the treasurer of the full sum due thereon; and such certificate of stock shall be transferable on the books of the corporation, either in person or by attorney; and the assignee holding any certificate, first having caused the assignment to be entered on the book to be kept for that purpose, by the said trustees, shall be deemed a member of the corporation, and entitled to all the rights and privileges of an original subscriber to said stock: *Provided*, That no stockholder shall sell, or otherwise dispose of, his or her stock, without having first given written notice to the stockholders present, at either some special or annual meeting, of his or her desire and intention to sell said stock; and if said stockholders, after having been so notified, shall either refuse or decline to buy said stock, so offered for sale, at the original price paid, then, and in that case, the stockholder shall have the privilege of selling or disposing of his or her stock without further notice.

Certificates of stock.

Transfers.

Proviso.

SECTION 9. That the said trustees shall have power to enact such ordinances and by-laws, not inconsistent with the constitution and laws of this commonwealth, as may be necessary and proper for the government of the said academy.

By-laws.

SECTION 10. That said trustees shall cause to be made for their use, one common seal, with such devices and inscriptions thereon as they shall think proper, by which and with which all deeds, certificates and acts, of said corporation shall be authenticated; and the same seal the said trustees may, at their pleasure, break and alter, and also, if they think proper, devise a new one.

Seal.

SECTION 11. That the said trustees, and their successors, be and they are hereby authorized and empowered to rent a building, suitable for said academy, until such times as they shall be able, from the money arising from the sale of said stock, or otherwise howsoever, to erect a building.

Authorized to rent a building.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 247.

A N A C T

For the more convenient collection of Poor Taxes in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

City treasurer to collect poor taxes

it shall be the duty of the treasurer of the city of Pittsburg, for the time being, to receive and collect all poor rates and taxes assessed by the guardians for the relief and employment of the poor of the city of Pittsburg, for the year one thousand eight hundred and sixty-two, and every year thereafter, in the same manner as he is now required by law to receive and collect the city taxes of said city; and the said treasurer shall keep an accurate account of said poor taxes so received, wholly separate and distinct from the city taxes, and shall make semi-monthly returns of all poor taxes so received and collected by him, to the guardians for the relief and employment of the poor of the city of Pittsburg, and pay over the same on demand to the treasurer of said guardians for the relief and employment of the poor of the city of Pittsburg.

Semi-monthly returns to be made to guardians of the poor.

Guardians to make out duplicates.

SECTION 2. That the said guardians for the relief and employment of the poor of the city of Pittsburg, shall annually, on or before the first day of June in each year, make out and deliver to the said treasurer of the city of Pittsburg, a correct copy of the duplicate of the poor taxes assessed by them, for the then current year; and the said treasurer of the city of Pittsburg, at the time said copy of said duplicate is given to him, shall give to the said guardians for the relief and employment of the poor of the city of Pittsburg, a bond, with two sureties, to be approved by them, in such sum as the said guardians for the relief and employment of the poor of the city of Pittsburg shall direct, not exceeding, however, the aggregate amount of poor taxes on said duplicate, conditioned for the faithful performance of his duty, in regard to the receiving, collecting and paying over of said poor taxes, as directed by this act.

Bond to be given by treasurer.

Treasurer to give certain notice.

SECTION 3. That as soon as the said copy of said duplicate is placed in the hands of the said treasurer of the city of Pittsburg, it shall be his duty to give notice thereof to the taxpayers, by publication in two newspapers published in said city, requesting them to pay their said poor taxes, and informing them that in case said taxes are paid on or before the first day of August then next ensuing, a discount of five per cent. thereon will be allowed, and if paid between the first day of August and the fifteenth day of September, a discount of two per cent. will be allowed, and that between the first day of October and the first day of November, an addition of five per cent. will be made, and that after November first all remaining unpaid, will be put into the hands of collectors, and a further addition of

Discounts on taxes allowed.

Addition authorized.

five per cent. thereon charged, together with costs and fees of collection.

SECTION 4. The said treasurer of the city of Pittsburg shall make an allowance, or abatement of five per cent. on said poor taxes, to all tax-payers who shall pay their poor taxes in full, on or before the first day of August in the year for which they are assessed, and an abatement of two per cent. on all poor taxes paid between August first and September fifteenth, and on all paid between October and November first, five per cent. will be added, and on all remaining unpaid on the first day of November, a further addition of five per cent. will be charged, with costs and fees for collection.

Abatement, &c., relative to.

SECTION 5. That it shall be the duty of the said treasurer of the city of Pittsburg, on or before the first day of November in each year, to issue his warrants to any ward constable, or other qualified voter of each ward of said city, respectively, having first obtained from him adequate security for the performance of his duty, commanding each of them to levy said unpaid poor taxes, together with ten per cent. added thereto, and also his fees for collecting the same, of any goods or chattels of the delinquents wheresoever found, and to make sale thereof after due advertisement, as in case of levy and sale upon execution; and the said constables, or other persons to whom said warrants shall have been issued as aforesaid, shall collect the said poor taxes contained in the schedule annexed to said warrant, and make return of said warrant within thirty days after they shall have received the same, and shall then pay over to the said treasurer of the city of Pittsburg, the amount of said taxes, and additions of ten per cent. thereto, collected by them on said warrants; and the said constables, or other persons so collecting said taxes, and addition of ten per cent. thereto, shall in addition thereto be entitled to collect and receive, as fees and costs from the delinquents, the same sum in each case as is allowed by law as constable's costs on an execution for like amount.

Warrants to be issued for collection of taxes unpaid on the first of November.

Duties of collectors.

Fees, costs, &c.

SECTION 6. That all said poor taxes which may hereafter be lawfully assessed by said guardians for the relief and employment of the poor of the city of Pittsburg, on any real estate in said city, together with all additions and charges on said taxes, by the provisions of this act directed to be made, shall be and are hereby declared a lien on said real estate, and said lien shall have priority to and shall be fully paid before any recognition, mortgage, judgment, or any other lien whatever thereon; and in case any collector in whose hands a warrant shall have been placed as aforesaid, shall make return to said treasurer of the city of Pittsburg, that any of said poor taxes, and said additions thereto and costs, cannot be collected for want of goods and chattels whereon to levy them, the said treasurer of the city of Pittsburg shall certify the same to the solicitor of the guardians for the relief and employment of the poor of the city of Pittsburg, together with a brief description in each case of the real estate on which said poor taxes shall have been assessed, and the name or names of the persons against whom, as owners of said real estate, said taxes have been assessed; and the said solicitor shall file the said certificate in the office

To have priority as liens.

Certificate of treasurer to solicitor to be filed and judgment entered thereon.

of the prothonotary of the court of common pleas of Allegheny county, and judgments shall be entered thereon in favor of the said guardians for the relief and employment of the poor of the city of Pittsburg, against the said owner or owners of said real estate, and a writ of *levari facias* shall forthwith be issued thereon, by virtue of which, it shall be the duty of the sheriff of said county, on or before the return day of said writ, or within six days thereafter, to sell the said real estate upon which said poor tax or taxes have been assessed; which said sale shall vest in the purchaser or purchasers all the right, title and interest of the defendant or defendants named in said writ, in and to the real estate so sold: *Provided however*, That any real estate so sold may be redeemed by the owner or owners thereof, within one year after said sale, by paying to the purchaser thereof the amount paid by him therefor, with twenty-five per cent. added thereto: *Provided further*, That the lien for such taxes shall not operate to divest or impair the lien of any mortgage which, under the provisions of the act, approved April sixth, A. D. one thousand eight hundred and thirty, would not otherwise be divested.

SECTION 7. That it shall be the duty of the said treasurer of the city of Pittsburg, on demand and tender of fees, to furnish certificates of all such poor taxes which are a lien on real estate, for which he shall receive a fee of twenty-five cents for each certificate, and five cents additional for each lien therein certified.

Writ to be issued real estate, and a writ of *levari facias* shall forthwith be issued thereon, by virtue of which, it shall be the duty of the sheriff of said county, on or before the return day of said writ, or within six days thereafter, to sell the said real estate upon which said poor tax or taxes have been assessed; which said sale shall vest in the purchaser or purchasers all the right, title and interest of the defendant or defendants named in said writ, in and to the real estate so sold: *Provided however*, That any real estate so sold may be redeemed by the owner or owners thereof, within one year after said sale, by paying to the purchaser thereof the amount paid by him therefor, with twenty-five per cent. added thereto: *Provided further*, That the lien for such taxes shall not operate to divest or impair the lien of any mortgage which, under the provisions of the act, approved April sixth, A. D. one thousand eight hundred and thirty, would not otherwise be divested.

Sale of real estate.

Effect of.

Proviso.

Proviso.

Certificates of same.

Fee for same.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 248.

A SUPPLEMENT

To an act relating to Roads and Highways in West Lampeter township, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That West Lampeter, in the county of Lancaster, the effectual opening of all public roads now and hereafter laid out, and finally approved and entered on record, as provided in section six of an*

act, entitled "An Act relating to roads, highways and bridges," passed thirteenth of June, one thousand eight hundred and thirty-six, or in other existing laws, shall be construed to mean, besides a superficial clearance of obstructions of the ground appropriated therefor, a proper grading or artificial alteration of the level of so much of its surface, in length and width, as may be necessary to make a slope or inclination easy and convenient for general use, passing and traveling, not exceeding five degrees from a horizontal plane, whenever practicable, and in no event eight degrees.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 249.

A SUPPLEMENT

To an act passed the twenty-ninth day of March, one thousand eight hundred and fifty-nine, entitled "An Act to prevent Fishing with Nets, Seines and Set Nets, in the East Conocheaque creek, below the borough of Chambersburg, on the lands owned by Bernard Wolf and William Heyser, known as the Hollywell Paper Mill property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of April next, fishing with nets, set nets and seines, rods, or by any other process, in the East Conocheaque creek, in Franklin county, within the borough of Chambersburg, or within two miles of said borough limits, is hereby prohibited, and hunting and trespassing in any other manner on the lands within said limits is also prohibited. Fishing, hunting and trespassing, within certain limits, prohibited.

SECTION 2. That if any person is convicted of fishing with nets or set nets, seine or seines, rods or by any other process, in the East Conocheaque creek, or of hunting, or in any other manner trespassing on the lands within the limits aforesaid, without the consent of the owners of lands on which the trespass is committed, before any justice of the peace of said county of Franklin, he shall be fined in the sum of ten dollars for every such offence, to be recovered as debts of an equal amount are recoverable; said sum to be paid to the commissioners of said county of Franklin, to be by them applied to keeping such persons as are imprisoned for offending against this act: *Pro-* Penalty.

Provido. *vided*, That any person or persons so offending, on conviction thereof aforesaid, who are unable or unwilling to pay said fine of ten dollars, and the costs, then such person or persons are to undergo an imprisonment in the county jail for twenty days: *Provido.* *And provided further*, That such prosecution shall be commenced within thirty days after such offence shall be committed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 250.

AN ACT

Relating to actions for Trespass in the townships of Milford and Fermanagh, in the county of Juniata.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all actions hereafter brought for the recovery of damages sustained by reason of the trespass of cattle, sheep or swine, upon any uninclosed lands in the townships of Milford or Fermanagh, in the county of Juniata, the defendant shall not be liable for the payment of costs, unless the verdict rendered shall exceed the sum of two dollars and fifty cents.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 251.

AN ACT

To authorize the School Directors of the Independent School District of Borough township, in the county of Beaver, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the independent school district of Borough township, in the county of Beaver, for the time being, and their successors, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding in the aggregate, the sum of four thousand dollars, at any rate of interest not exceeding seven per centum per annum, and payable in six years or sooner, if the board of directors of said district shall so determine, for the purpose of erecting a new school building in the borough of Beaver, in said district, and enlarging and improving the school house situated in the village of Vanport, in said district; and for this purpose, as often as money shall be borrowed, to execute bond or bonds, in the name and on behalf of said district, under the hand and seal of the president of the boards of directors, attested by the secretary thereof, with mortgage or mortgages executed as aforesaid upon any real estate now belonging to or that may hereafter be acquired by said district; and said bonds shall be exempt from taxation: *Provided,* That no bond shall be issued for a less sum than one hundred dollars, and that the persons lending the money as aforesaid shall not be liable to see to the proper application of the same by the directors.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 252.

AN ACT

Establishing a fee bill, in certain cases, in the county of Dauphin.

Fees of mayor,
aldermen and
justices of the
peace in certain
cases established

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fees or costs to be hereafter charged, or received, or demanded, or taken, by the mayor, aldermen, or justices of the peace, in the city of Harrisburg, or of the county of Dauphin, in all cases wherein any person or persons shall be charged with being vagrants, idle and disorderly, or drunk and disorderly persons; or for drunkenness or breach of the peace; or with committing an assault, or assault and battery, shall be as follows: For all proceedings in all or any of the above stated cases, except cases of assault, or assault and battery, the sum of twenty cents; and no more than twenty cents shall be charged by the said officers, in either of such cases, for any official services rendered therein; for committing to prison any person charged with either of the above offences, except cases of assault, or assault and battery, the sum of twenty-five cents; no more or further fees, than as above stated, shall be charged or paid to the said officers in any case wherein two or more persons are arrested for committing any of the said offences at the same time and place, except in cases of assault and assault and battery.

Fees of police,
constables, &c.

SECTION 2. That in the above named cases, except in cases of assault, or assault and battery, the fees to be charged and received, or demanded, or taken, by the constables in the said city and county, or by the chief police constable, or police constable, or other officer of the said city, shall be as follows, to wit: For arresting any person or persons, according to law, either upon or without warrant, or other process, and taking such person or persons before either of the officers named in the preceding section of this act, for any of the offences therein specified, except cases of assault, or assault and battery, the sum of twenty cents, for any of the offences therein specified, except cases of assault, or assault and battery; for committing to prison upon process issued by either of the officers named in the preceding section of this act, and including mileage for all persons arrested within the limits of the city of Harrisburg, twenty-five cents; for all persons arrested for any of the offences named in the preceding section of this act, except cases of assault, or assault and battery, without the limits of the city of Harrisburg, when such miles actually traveled would exceed two miles, three cents for each mile actually traveled in making said arrest and committing to prison; but in no case shall mileage be charged separately, for making said arrests and committing to prison.

SECTION 3. That in all cases of assault, or assault and battery, wherein the grand jury shall return the bill of indictment a true bill, the fees now allowed by law, in such cases, shall be paid to the said officers, in the mode and manner now prescribed by law; and in all cases of assault, or assault and battery, wherein the grand jury shall return the bills of indictment *ignoramus*, or not a true bill, no fees or costs shall be paid by the county of Dauphin to any of the officers named in the preceding sections of this act; and all laws heretofore enacted, or now in force, providing for the payment of fees or costs to any or all of the officers named in the preceding sections of this act, shall be and the same are hereby repealed, so far as relates to the city of Harrisburg and the county of Dauphin. Fees and costs in cases of assault or assault and battery, how paid.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 253.

A N A C T

To authorize the Supervisors of the township of Shrewsbury, in the county of York, to collect the road taxes in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the supervisors of the township of Shrewsbury, in the county of York, after giving the notice required by law to all persons rated for road taxes, and causing fair duplicates to be made of the rates and assessments by them laid, to collect themselves the road taxes, and for any or either of them to demand and receive from every person in such duplicate named, the sum wherewith such person stands charged, and to obtain a warrant, and levy the goods and chattels of any person who shall neglect or refuse to make payment of the sum charged to him, in the same manner, and subject to the appeal of any person aggrieved, and the stay thereon, as is now provided by law in the case of collectors of township rates and levies: *Provided, That the said supervisors shall have given the bond, or*

the individual security required by the act of the sixteenth of March, one thousand eight hundred and sixty.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 254.

AN ACT

Supplementary to an act incorporating the Congregation of the United Brethren of the town of Nazareth and its vicinity.

Three auditors to
be elected.

Classification.

Duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of trustees of the said congregation shall, in due time after the approval of this act, appoint three persons, as otherwise provided for in the fifth section of the act of assembly incorporating said congregation, approved the twenty-first day of February, Anno Domini one thousand eight hundred and fifty-six, whose duty it shall be to hold an election on the first Monday of the month of June, Anno Domini one thousand eight hundred and sixty-two, for the election of three auditors, in conformity with the provisions controlling elections, as contained in said act of assembly; the three persons thus elected auditors shall, at their first meeting, divide themselves by lot into three classes, the term of office of the first of which shall continue until the annual election, to be held on the third Thursday in the month of December, Anno Domini one thousand eight hundred and sixty-two, and the term of office of the second of which shall continue until one year after the expiration of the term of the first, and the term of office of the third of which shall continue until one year after the expiration of the term of the second, so that one auditor shall be elected at every succeeding annual election, whose term of office shall then be three years.

SECTION 2. That the duties of the said auditors, any two of whom shall form a quorum, shall be annually, in the month of August, to examine all the accounts, books, vouchers, papers, et cetera, of the board of trustees and school board of the said congregation, and make report thereof to a congregational

meeting convened for that purpose: *Provided*, That no person ~~Eligibility.~~ shall be eligible or serve as an auditor, who may be a member of the board of trustees, board of elders, or school board of the said congregation; and that in case of vacancy by death, resignation, disability, refusal or neglect to serve, or otherwise, the ~~Vacancies.~~ vacancy or vacancies shall be supplied by the remaining auditor or auditors, until the next annual election.

SECTION 3. That the compensation of each of the said auditors shall be fifty cents per diem, for each and every day employed in their duties as aforesaid. ~~Compensation.~~

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 255.

AN ACT

For the relief of J. F. Donalson, late Prothonotary of Tioga county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and that he is hereby authorized to open and re-settle the account of J. F. Donalson, as late prothonotary of Tioga county, with the commonwealth of Pennsylvania, and allow him such credits and deductions as are just and equitable.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 256.

AN ACT

To change the lines of the Mercer School District, in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all that part of the Mercer school district, in Mercer county, lying east of the following line, viz: Beginning at the north-west corner of a tract of land warranted in the name of John Joas, called the Saw Mill tract; thence south along the west line of said tract till it crosses Otter creek; thence southwardly along said creek to the south line of said school district, be and the same is hereby re-annexed to and shall hereafter form a part of Findley school district, in the said county; and that the farms of Thomas Rogers and Jacob Nitzell, now in the said Mercer school district, be and the same are hereby re-annexed to, and shall hereafter form a part of East Lackawannock school district, in the said county.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 257.

AN ACT

To annex certain real estate to Clarion township, in Clarion county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That that portion of the real estate belonging to the heirs of William Ferguson, deceased, now situate in the borough of Strattonville, in Clarion county, and adjoining other real estate of said heirs,*

situate in Clarion township, be and the same is hereby annexed to the said township of Clarion.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 253.

A N A C T

To provide for the collection of additional Road Taxes in the township of Clara, in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the road supervisors of the township of Clara, in the county of Potter, be and they are hereby authorized and empowered, in addition to the tax now authorized by law to be assessed and collected in said township, to levy and collect an additional tax, not exceeding one per centum in any one year on the last adjusted valuation of property in said township for county purposes, the same to be levied and collected in manner as is now provided by law for levying of taxes in said township, the same to be appropriated in making roads and bridges in said township.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 259.

AN ACT

To annex a part of Penn township, in Lycoming county, to Davidson township, in Sullivan county, for School purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate now owned or occupied by James Heller, William George, A. C. Walter, Anna Saunders, Robert G. Richart and J. H. Welsh, in Penn township, Lycoming county, be and the same is hereby annexed to Davidson township, Sullivan county, for school purposes; and that the persons aforesaid, and all others who may hereafter occupy said real estate, shall have the right to send their children to the public school, which shall or may be kept in the Mountain school house, of Davidson township, in said county of Sullivan, the same as though they were residents of said township; and that the said township of Davidson shall be entitled to receive the proportion of the state appropriation, which would otherwise belong to said Penn township, by reason of the residence of the persons aforesaid, and their families, therein; and it shall be the duty of the school directors of Penn township to pay, or cause to be paid, to the school directors of Davidson township, all taxes raised for school purposes, of and from the property and persons so, as aforesaid, annexed to said Davidson township for school purposes; and also its proportion of the state appropriation, if the same shall have at any time been paid to said Penn township; and in case of a refusal to pay the same, or in case of a disagreement between the directors of said townships, as to the amount of said indebtedness, the said township of Davidson is hereby authorized to recover the amount thereof by action of *assumpsit*, or other proper action, against the said township of Penn, in the court of common pleas of Lycoming county, which is hereby authorized and required to adjudicate the same, and give judgment and award execution in the same manner as provided for in other cases of indebtedness by school districts.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 260.

A FURTHER SUPPLEMENT

To an act incorporating the Hilltown Turnpike Road Company, in Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the free travel on the Hilltown turnpike road, is hereby limited to persons going in procession, in funeral order, and going from one part of their farms to another, and military companies on parade in uniform.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 261.

AN ACT

Supplementary to the act relating to the taking up of Floating Lumber, et cetera, on the waters of the Ohio, Allegheny and Monongahela rivers and their tributaries, approved the sixth day of March, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, any person or persons taking up and securing any logs, shingles, shingle-bolts, boards or lumber of any kind, or any flat boat, upon any of the waters or shores of the Ohio, Allegheny and Monongahela rivers, or any of their tributaries, shall be entitled to receive from the owner or owners thereof, his or their agent or agents, so far as relates to Armstrong county, through which the Allegheny river flows, the sum of six cents for each and every average log, the sum of five cents for each and every hundred feet of boards so taken up and secured, where the quantity does not exceed one thousand feet; upon the payment of which sum or*

sums, or upon tender of payment thereof by the owner or owners of such logs, lumber or flat boat, his or their agent or agents, such logs, lumber or flat boat, shall be forthwith delivered up to the owner or owners of the same, his or their agent or agents: *Provided however*, That in all cases relating to property so taken up and secured on said waters, whether under the old act of sixth March, Anno Domini one thousand eight hundred and forty-nine, or under this supplement, the owner or owners themselves, or by their agent or agents, first be required to prove his or their ownership in the property so claimed, before being permitted to remove any of such lumber so taken up and secured and described, either by the said act of the sixth March, one thousand eight hundred and forty-nine, or by this act; and so much of the second section of the act, entitled "An Act to regulate the taking up of lumber and flat boats in the Ohio, Allegheny and Monongahela rivers and their tributaries," passed the sixth day of March, one thousand eight hundred and forty-nine, inconsistent herewith, be and the same is hereby repealed, so far as the same relates to Armstrong county.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No 262.

AN ACT

To change the township line between Washington and Wiconisco townships, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the dividing line between the townships of Washington and Wiconisco, shall be and hereby is so changed as to commence on the top of Berry's mountain, at the Jackson township line, six hundred and seventy perches east from the present line which divides said Washington and Wiconisco townships; thence north five and one-half degrees west four hundred and thirty-five perches to the land of the Short Mountain coal company; thence along the line of the land of the said Short mountain north sixty-nine and one-fourth degrees west fifty-eight perches to a stump; thence north

seven and one-half degrees east sixty perches to stone; thence north eighty degrees west two hundred and eighteen perches to a post; thence north thirty-two and one-half degrees west twenty-six perches to a pine; thence north eighteen and three-fourth degrees west one hundred and fifteen perches to a white oak; thence south eighty-nine degrees west ninety-four perches to a post; thence south sixty-three and one-fourth degrees west two hundred and seventy-four perches to the Washington township line; and all that part of Wiconisco township, located west of the aforesaid line, shall hereafter be attached to the township of Washington; and the citizens of Wiconisco township, residing west of the aforesaid line, shall hereafter be citizens of Washington township, and shall enjoy all the rights and privileges incident to the same.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 263.

AN ACT

Relative to Inspectors and Gaugers for the county of Allegheny and the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the inspector of domestic distilled spirits for the county of Allegheny, to gauge and mark all casks or barrels containing oil of any kind, whether crude or refined, manufactured, refined, sold, or offered for sale, in said county, outside of the city of Pittsburg, in the same manner, and subject to the same regulations, as now required by law, in relation to gauging and marking casks containing domestic distilled spirits; for which service he shall be entitled to receive a fee of five cents per cask or barrel so gauged.

The inspector of liquors for Allegheny county to be gauger of oils, &c., outside of Pittsburg.

Compensation.

SECTION 2. That it shall be the duty of the said inspector, on the first Monday of July next, and quarterly thereafter, to report to the county controller of said county, the quantity of spirits inspected, and the number of casks of oil and spirits gauged within said county, outside of said city, for the preceding quar-

Quarterly reports to county controller and statement of fees

Proportion of fees to be paid to county treasurer

Penalty for failure to comply.

Deputy inspectors may be appointed.

Provide.

Provisions of certain act extended to.

Prohibition.

Penalty.

Councils of Pittsburgh to appoint an inspector and gauger of spirits and oils.

His duties.

Provide.

Penalty for counterfeiting or erasing the brand or mark of city gauger.

ter, together with a correct sworn statement of the fees received for the same; and to pay to the county treasurer, for the use of said county, one-third of all the fees so received by him; and any failure to comply with the provisions of this section, shall be deemed a misdemeanor, and shall be punishable by fine, not exceeding one thousand dollars, or imprisonment in the county jail, for a term not exceeding six months, or both.

SECTION 3. That it shall be the duty of said inspector to appoint, from time to time, such number of competent persons, to act as deputy inspectors, as may be required; and the persons so appointed shall take the same oath, and be liable to the same restrictions and penalties, as the said inspector: *Provided*, That nothing contained in this section shall be construed to require such deputies to make the report required by the second section of this act, or to relieve the inspector from any of the duties or penalties prescribed or imposed by said section.

SECTION 4. That all the provisions and penalties contained in an act relating to inspectors, approved April fifteenth, Anno Domini one thousand eight hundred and thirty-five, and the several supplements thereto, so far as the same are consistent herewith, are hereby extended to the county of Allegheny; and from and after the first day of March, Anno Domini one thousand eight hundred and sixty-two, it shall not be lawful for any person to act as inspector or gauger of domestic distilled spirits, or gauger of oils, in the said county of Allegheny, outside of the city of Pittsburgh, except the inspector appointed by the governor of the commonwealth, and his duly appointed deputies; and any person not so appointed, who shall attempt to perform any of the duties of said office, shall, for every such offence, forfeit and pay the sum of twenty dollars, one-half for the use of the commonwealth, and the other half to the person suing for the same.

SECTION 5. That the councils of the city of Pittsburgh be and are hereby authorized and empowered to appoint a suitable person as gauger for said city, whose duty it shall be to gauge all liquid merchandise offered for sale in said city, and to inspect all domestic liquors which may be gauged by him; and shall mark upon the casks, or other vessels containing the same, quantity therein contained, and the full capacity of such vessel; and in the case of domestic distilled liquors, the proofs and degrees thereof; and in all cases attest said marks by a gauge mark, which shall be the letter P; which said gauge mark may be altered by resolution of said councils, and not otherwise: *Provided*, That nothing herein contained shall authorize or require the gauger so appointed to inspect, gauge or mark, any domestic distilled spirits or oils, manufactured, refined, sold, or offered for sale, in the county of Allegheny, outside of said city.

SECTION 6. That any person who shall fraudulently counterfeit, forge, brand, or scrape, upon any cask, barrel, or any other vessel, containing any liquid merchandise; or shall fraudulently alter, deface, or erase the brand, scrape, or other mark of the city gauger, upon, or from any such cask, barrel, or other vessel, shall be liable to a penalty of ten dollars for each and every cask, barrel, or other vessel, upon or from which he shall so

fraudulently counterfeit, forge, brand, scrape, alter, deface, or erase, such brand, scrape, or mark, of the city gauger.

SECTION 7. That any person, other than the city gauger or his deputies, who shall gauge any liquid merchandise, or inspect any domestic distilled spirits, within the city of Pittsburg, and shall charge or receive any compensation therefor, shall forfeit and pay the sum of ten dollars for every such offence; and any person who shall sell, or offer for sale, in said city, any liquid merchandise, in casks, barrels, or other vessels, before the same shall have been gauged and marked by said gauger, shall forfeit and pay the sum of one dollar for each cask, barrel, or other vessel, sold, or offered for sale: *Provided*, That this section shall not apply to domestic distilled spirits or oils, manufactured or refined within the county of Allegheny, outside of the city of Pittsburg.

Penalties for false inspections, &c., and selling liquid merchandise not gauged and marked.

SECTION 8. That the gauger shall have power and authority to bore through any part of any vessel by him gauged, for the purpose of detecting any suspected imposition; and any person detected in any such attempt at imposition, shall forfeit and pay the sum of ten dollars.

Gauger may bore through vessels for the purpose of detection.

Penalty for imposition.

SECTION 9. That the said gauger shall, when called upon by the vender or purchaser, gauge and inspect any liquid merchandise by him previously gauged and marked; and if, upon such subsequent inspection, said vessels shall be found not to conform, in quantity and quality, to the marks thereon, the person offering the same for sale shall, upon conviction of any fraudulent intention or action on his part, forfeit and pay the sum of five dollars for each cask, barrel, or other vessel, which shall be found deficient; and when the same shall conform with the marks of said gauger, the fee shall be paid by the purchaser; otherwise the same shall be paid by the person or persons offering the same for sale.

Re-inspections authorized.

Penalty for fraud by vendors in subsequent inspection.

Fees, by whom paid.

SECTION 10. That the said gauger shall receive, for the performance of the duties herein provided, for any number of casks or barrels not exceeding two, not more than fifteen cents each; for any number of casks or barrels not exceeding six, not more than five cents each; for any number of casks or barrels exceeding six, not more than five cents each; and for the inspection of domestic distilled spirits, in addition to the fee for gauging, not more than two cents for each cask or barrel.

Rates of charges.

SECTION 11. That the said gauger shall keep an accurate account of all services performed by him and his deputies, and of the fees by him and them received, and shall render an account thereof to the controller of said city of Pittsburg, monthly, under oath, and shall pay into the treasury of said city, such proportion of said fees as shall be determined by said city.

Account to be rendered to city controller.

SECTION 12. That the said gauger shall have authority to appoint deputies, for whose acts he shall be responsible, and who shall be by him removable at pleasure; and before entering upon the duties of his office, he shall give bond to the city of Pittsburg, in an amount to be fixed by the councils of said city, conditioned for the faithful performance of his duties.

Deputies.

Bond.

SECTION 13. That all penalties provided by this act shall be recoverable as debts of like amount are now by law recoverable, by suit, in the name of the mayor, aldermen and citizens of

Penalties, how recovered.

Pittsburg, one-half for the use of the mayor, aldermen and citizens of Pittsburg, and the other half for the use of party suing for the same.

Councils to regulate duties of gauger.

Provide.

SECTION 14. That the councils of said city of Pittsburg be and are hereby authorized and empowered to regulate the duties of said gauger, and to enact any ordinance in reference thereto: *Provided*, That the same be not inconsistent with this act, or with the constitution and laws of the United States, or of the commonwealth of Pennsylvania; and the ordinances of said city, now in force, shall be and remain valid until the same be altered, amended, or repealed.

Re-inspection not to be required.

SECTION 15. That nothing in this act contained shall require the inspecting or gauging of any liquid merchandise that may have been once inspected or gauged, by the proper officer, in the manner prescribed in the preceding sections.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 264.

A SUPPLEMENT

To an act to incorporate the Shamokin and Bear Valley Coal Company.

WHEREAS, By an act of assembly, approved the seventh day of February, Anno Domini one thousand eight hundred and sixty-two, entitled "An Act to incorporate the Shamokin and Bear Valley coal company," no provision was made by which the corporators therein named could organize said company:

And whereas, George Fales became the purchaser at sheriff's sale of all the real and personal property, including the railroad belonging to the Carbon Run improvement company, which it is his intention to convey to the Shamokin and Bear Valley coal company, and which effects are designed to form the capital stock of the said Shamokin and Bear Valley coal company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That upon the conveyance by George Fales, of the above named property and effects of the Carbon Run improvement company, to the Shamokin and Bear Valley coal company, the corporators named in the act incorporating the said Shamokin and Bear

Valley coal company, shall have power to create capital stock to the amount provided for in said act of incorporation, and order certificates for the same, to be issued as soon as a meeting of the stockholders shall be called, in the manner prescribed by the act of incorporation aforesaid, and the company shall become duly organized by the election of proper officers: *Provided*, That the said Shamokin and Bear Valley coal company shall have the right to extend their railroad, and enter upon and pass over adjacent or adjoining lands in the construction of said road and its branches: *And provided further*, That the said Carbon Run improvement company may, at a meeting called for that purpose, assign and convey to the said Shamokin and Bear Valley coal company, all its right, title, interest, privileges and franchises to and in the Bear Valley railroad company, if a majority of the shares of the Carbon Run improvement company shall be voted for that purpose.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 265.

AN ACT

To extend the act relating to Sheriff's and Prothonotary's costs in Luzerne county, approved the seventeenth day of February, one thousand eight hundred and fifty-nine, to the counties of Dauphin and Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act relating to sheriff's and prothonotary's costs in Luzerne county," be and the same are hereby extended to the counties of Dauphin and Northampton.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 266.

AN ACT

Extending the time for paying the Enrolment Tax of the Kittanning Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time required by law for paying the enrolment tax on the act of assembly, entitled "An Act to incorporate the Kittanning water company," approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby extended for one year from the passage of this act.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 267.

AN ACT

Granting a Pension to S. W. Cole, a disabled soldier.

WHEREAS, S. W. Cole, a private in the company of Captain Bradbury, in the sixth regiment of the reserve volunteers corps of Pennsylvania, received a gun-shot wound on the eleventh day of June, one thousand eight hundred and sixty-one, while actually in the service aforesaid, mounting guard at Camp Curtin, the ball entering the knee joint, where it still remains, destroying the action of the joint and rendering him lame for life:

And whereas, Said Cole has a family, consisting of a wife and four children, and can receive nothing from the general government, not having been mustered into the United States service, but being regularly discharged by the military authorities of the state, and having received a certificate from J. P. Wilson, surgeon general of Camp Curtin, declaring him entirely disabled from obtaining his subsistence; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* S. W. Cole, of Bradford county, a disabled private in the company of Captain Bradbury, in the sixth regiment of the reserve Pennsylvania corps, shall receive a life annuity of seventy-five dollars, to date from January first, one thousand eight hundred and sixty-two, and to be paid by the state treasurer semi-annually, on the first days of July and January, from any moneys not otherwise appropriated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 268.

SUPPLEMENT

To an act incorporating the Township Line Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the time for the commencement of the road authorized by the act, entitled "An Act to incorporate the Township Line road company," approved March thirty-one, Anno Domini one thousand eight hundred and sixty, be and the same is hereby extended for two years, and for its completion, to three years from and after the periods fixed in said act.

Time for commencement and completion of road extended.

SECTION 2. That said company shall have power to extend their road as far as Chestnut Hill, if deemed advisable, and for that purpose may use Greene or Manheim streets; and the said company shall also have authority to contract with any other incorporated company for the use of the bed of their road, in the construction of the road authorized by this act, and for that purpose may change the route of said road, either in whole or in part; and in case the said company shall extend their road to Chestnut Hill, they are hereby authorized to borrow a further sum of twenty thousand dollars, on the terms and conditions prescribed in the act to which this is a supplement: *Provided, That* said company shall not be authorized to erect a toll gate between Manheim and Johnson streets.

Authorized to extend their road and use certain street, &c.

May change route and borrow money.

Provide.

Rate of toll.

SECTION 3. That the directors of said company shall have power to regulate the rates of toll from time to time: *Provided*, That they shall never exceed three cents per mile per horse, and that for each fraction of a cent in the computation of toll, the said company may charge and collect one cent; subject, however, to the provisions of the act, entitled "An Act relative to persons going and returning from funerals in the city of Philadelphia," approved April fifth, one thousand eight hundred and sixty.

Subject to.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 269.

A SUPPLEMENT

To an act relative to bringing Suits by Creditors, and others, against Executors, Administrators, Assignees and other Trustees, in certain cases, and serving notices, and for satisfaction of mortgages, and opening judgments in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where bills in equity shall be filed by alienees of mortgagors, or their heirs or assigns, or by parties claiming an interest in lands, by virtue of sales under judgments, service of subpœnas, or other process, may be made as provided in the second section of an act, entitled "An Act relative to bringing suits by creditors and others, against executors, administrators, assignees, and other trustees in certain cases, and serving notices, and for satisfaction of mortgages, and opening judgments in certain cases," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-four.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN. .

No. 270.

AN ACT

Relative to Allegheny City Market Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Riddle, Joseph Kirkpatrick, William Walker and John Wright, together with the mayor of said city, be commissioners, with full powers to contract with White and Alexander, carpenters and builders, upon the basis of their proposals for the same, presented to the committee on markets of the select and common councils of the city of Allegheny, in pursuance of the invitation for proposals issued by the said committee, for the erection of market houses, city hall, weigh house, et cetera, in the Diamond squares of said city, for the use of said city, according to the plans and specifications approved and adopted by said councils; and also to contract with the lowest and best bidders for the completion of any details of the general plan thereof adopted by councils, and not included in their invitation for proposals for the building thereof: *Provided*, That all contracts made by said commissioners shall be strictly in accordance with the plans and specifications thereof, as approved by said city, and filed with the committee on markets of said city: *And provided further*, That none of said contracts shall be entered into until after the mandamus executions issued from the circuit court of the United States for the Western district of Pennsylvania, to the treasurer of said city, be either compromised or withdrawn, unless authorized by the select and common councils the of said city: *And provided further*, That it be the express condition of every contract entered into by said commissioners for the same, that in no event shall the city of Allegheny be held bound for the payment of any sum whatever, for or on account of the building or completion of the same, or any part thereof, other than is specified and mentioned hereinafter.

Commissioners appointed to contract with certain parties for the erection of market houses, &c.

Plans and specifications.

Completion of details not included in general plan.

Proviso.

Proviso.

Proviso.

SECTION 2. That for the purpose of defraying the cost and expenses of the erection, et cetera, of said market house, city hall, weigh scales, et cetera, the said councils of the city of Allegheny, are hereby authorized and directed to pay to the said commissioners aforesaid, in trust for the said White and Alexander, and other contractors, with whom contracts may hereafter be made by said commissioners, and to be disbursed in accordance with the terms of such contracts, by said commissioners, through their treasurer, hereafter provided for, all the revenue which has arisen from markets, from January first of the year preceding the signing of the contracts aforesaid, and to arise therefrom, until the whole cost of the building and completion of the said city hall, market houses, weigh house, et cetera, shall have been fully paid; and the further sum of

Cost of erection, &c., how to be paid.

eight hundred dollars, annually, from the date of the completion and occupation by the city officers of the city hall, until the whole cost and expenses of the erection of said market houses, city hall, weigh house, et cetera, shall have been fully paid; and said revenues shall be devoted to no other purpose whatsoever, than for the payment of the costs and expenses of the erection of said market houses, city hall, weigh house, et cetera.

Commissioners to appoint a treasurer.

His duties.

Commissioners to superintend.

Vacancies.

SECTION 3. That said commissioners shall appoint a treasurer, who shall give bond in the sum of ten thousand dollars, with security, to be approved by said commissioners, who shall receive and hold all funds from whatever source coming to said commissioners, for the payment of the costs and expenses of the erection of the market houses and other buildings as aforesaid, who shall pay out the same only upon warrants drawn upon him in favor of the contractors, signed by the chairman of said commissioners, and countersigned by the secretary thereof; and said commissioners shall have power to superintend and control the said work until full completion: *Provided*, That the said councils shall have power to fill any vacancies therein that may occur by deaths or resignations.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 271.

AN ACT

Relating to the Commencement of Actions in Chester county.

Certain writs, how long in force and when returnable.

Previous.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all writs for the commencement of actions, and all writs of *scire facias*, issued out of the court of common pleas of Chester county, shall be in force for three months from their date, and shall be made returnable in ten days after the service thereof: *Provided*, That if the last of such ten days shall fall on Sunday, Christmas day, the first of January, fourth of July, or any other day fixed by law, or the proclamation of the governor, as a day for the cessation of business, in either of such cases, the following day shall be considered the last of such ten days.

SECTION 2. That if the plaintiff shall file a copy of the instrument of writing, book-entries, record or claim or affidavit thereof, on which the action is brought, as prescribed by the act to establish the district court for the city and county of Philadelphia, passed March twenty-eight, one thousand eight hundred and thirty-five, and its supplements, five days before such return day, he may enter judgment by default against the defendant at any time after the return day, unless the defendant shall, on or before the return day, file an affidavit of defence, stating the nature thereof.

When plaintiff may enter judgment by default.

SECTION 3. That upon application to the said court, or to the president judge thereof, at any time after the return day and notice to the defendant, in cases where an affidavit of defence shall be filed as aforesaid, the said court or judge may enter judgment for the plaintiff, if it shall appear no sufficient ground of defence be set forth in such affidavit.

Entry of judgment in case of insufficient affidavit of defence.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 272.

AN ACT

Explanatory of certain acts relative to the Inspectors of Buildings in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is the true intent and meaning of section sixth of an act passed the seventh day of May, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act to provide for the regulation and inspection of buildings;" and of section first of a supplement thereto, passed the eleventh day of April, one thousand eight hundred and fifty-six, entitled "An Act to provide for the better regulation of buildings in the city of Philadelphia;" and of the first section of a further supplement thereto, passed the twentieth day of May, one thousand eight hundred and fifty-seven, entitled "An Act in relation to party walls," that whenever the said inspectors, in settlement of their accounts pursuant to said last act herein above mentioned, may or shall have filed a full statement of their receipts and expenditures for any year,

and such account, after having been duly audited and found correct, shows that the amount of all their receipts as such building inspectors, is less than the amount of their salaries, together with clerk hire and all other necessary expenditures during said year, it shall be the duty of the city of Philadelphia to pay to said building inspectors the amount of such deficit so appearing by said account.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 273.

A SUPPLEMENT

To an act, entitled "An Act relative to the collection of State and County Taxes in the borough of Kutztown, in Berks county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the sixth section of the act, passed the twenty-fourth day of March, one thousand eight hundred and fifty-one, relative to the collection of state and county taxes of Greenwich and Maxatawny townships, Berks county, be and they are hereby extended to the borough of Kutztown and Tulpehocken, in said county.*

JOHN ROWE,

Speaker the of House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 274.

AN ACT

Authorizing the Trustees of the Proprietors' Fund of Plymouth township, in the county of Luzerne, to appropriate said Fund towards the purchase of a Farm and Poor House for the use of said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the trustees of the Proprietors' fund of Plymouth township, in the county of Luzerne, be and they are hereby authorized and required, immediately after the passage of this act, to collect any and all money or moneys remaining unexpended and belonging to, or known as, the Proprietors' fund of Plymouth township, and to pay the same, or such part thereof as may be required, not exceeding the sum of two thousand five hundred dollars, on the account of the proportionate share of money agreed to be paid by said township of Plymouth, as purchase money for a poor house and farm for the maintenance, support and employment of the poor of Plains, Wilkesbarre, Hanover, Newport and Plymouth townships, in said county, and known as the poor house farm for the Central district in said county.

Proprietors' fund of Plymouth tp. to be paid as proportionate share in the Central poor district.

SECTION 2. That the auditors of the township are authorized to settle the accounts of the trustees herein mentioned, as soon after said trustees shall have collected and paid over the Proprietors' fund aforesaid as may be practicable.

Settlement of accounts of trustees.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 275.

AN ACT

Supplementary to an act to change the mode of Criminal Proceedings in Erie and Union counties, approved May first, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the first, third and fourth sections of said act, as requires the several justices of the peace in said counties to hold monthly courts, be and the same is hereby repealed; and the said justices are hereby required to hear and determine all cases arising under the first section of said act, forthwith, except as hereinafter provided.

Certain sections requiring justices to hold monthly courts repealed.

Proceedings in trials by jury before justices.

SECTION 2. That if the defendant shall plead not guilty, and demand a trial by jury, as provided by section three of said act, the justice shall make an entry to that effect in his docket, and require the defendant to enter into a recognizance, with good and sufficient surety or sureties, conditioned for his or her appearance before said justice, not less than four, nor more than ten days thereafter, unless the defendant shall then make affidavit that he or she cannot, within the longest time herein mentioned, procure the necessary witnesses for his or her defence, when the hearing shall be continued by the justice to such time as will give the defendant a reasonable and fair opportunity to procure the evidence; and if the defendant shall not enter into such recognizance, and the day of trial shall be postponed for a longer period than ten days, the constable may commit the defendant to the jail of the county for safe keeping until the day of trial, and for such service he shall be allowed the fees now provided by law: *Provided*, That if the office of the justice shall be within ten miles of the jail of said county, the constable may in every case in which bail is not given, commit the said defendant to jail for safe keeping.

When the defendant may be committed to jail.

Proviso.

Juries, when and how chosen.

SECTION 3. That the jury provided for in the act to which this is a supplement, shall be selected and struck on the day on which the defendant shall first be brought before said justice, if both the parties are present in person, or by attorney, but if the defendant desires counsel, he shall have a reasonable time to procure such counsel, and in the meantime he shall be securely kept by the constable, and the day of trial shall in all cases be computed from the time of choosing said jury: *Provided*, That if after said jury is struck, both parties desire to proceed to trial immediately, the justice shall make an entry to that effect in his docket, and forthwith proceed with said trial.

Proviso.

Certain section amended.

SECTION 4. That the eighth section of the act to which this is a supplement, is hereby amended, by the insertion in the fourteenth line of said act, as the same is published in the pamphlet laws of one thousand eight hundred and sixty-one, after

the word "direct," in said line, the words, "the information or accusation in said case to be amended by," and the last word in said section is hereby struck out, and the word "hearing" substituted therefor.

SECTION 5. That the justices of the peace in said counties shall not have jurisdiction to hear and determine, in the manner provided by this act, and the act to which it is a supplement, offences mentioned in the one hundred and third section of the act of March thirty-first, one thousand eight hundred and sixty, if the value of the property stolen shall exceed the sum of ten dollars. Justices not to have jurisdiction of certain offences.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 276.

AN ACT

Authorizing the Auditors of Forest county to re-audit all the accounts of C. J. Fox, and the county account of John G. Brandon, late treasurers of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the auditors of the county of Forest, after ten days' notice to the commissioners of said county, and to said C. J. Fox and John G. Brandon, to meet at the commissioners' office in said county, and re-audit all the accounts of C. J. Fox, and the county accounts of John G. Brandon, late treasurers of said county, and having so made the same, like proceeding shall be had as in other cases; and such re-audit, so made as aforesaid, shall have the same effect as in other cases against the commonwealth, the county, as against the said C. J. Fox and John G. Brandon and their sureties.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 280.

SUPPLEMENT

To an act, entitled "An Act to lay out a Road from Kittanning, Armstrong county, to Franklin, Venango county," passed May first, Anno Domini one thousand eight hundred and sixty-one.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of the act, entitled "An Act to lay out a state road from Kittanning, Armstrong county, by way of Fairview, Butler county, and Clintonville, Venango county, to Franklin, Venango county," as requires the commissioners to view and locate the same, be and the same is hereby repealed.

Commissioners to view and locate a certain road.

SECTION 2. That the said commissioners are hereby required to view, lay out, and locate said road, from Kittanning, Armstrong county, by way of Fairview, Butler county, to Clintonville, Venango county.

Time extended.

SECTION 3. That the time specified in said act of May first, Anno Domini one thousand eight hundred and sixty-one, to view and locate said road, is hereby extended to the first day of October, Anno Domini one thousand eight hundred and sixty-two, and that all the provisions of said act, not inconsistent herewith, be and the same shall remain in full force and virtue in manner provided in the aforesaid act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 281.

AN ACT

To authorize the School Directors of the borough of Rochester, in the county of Beaver, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the school directors of the borough of Rochester, in the county of Beaver, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding in the whole twelve hundred dollars, at a rate of interest not exceeding seven per centum per annum, for the purpose of erecting a new school house in said borough; and it shall be lawful for said directors to secure the money so borrowed by bond or bonds, with mortgage upon the real estate belonging to said school district, and to provide for a special tax for the payment of the principal and interest, in a period not exceeding five years: *Provided, That any bonds issued under the provisions of this act, shall not be for a less sum than one hundred dollars each.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 282.

AN ACT

To authorize the Court of Common Pleas of Wyoming county to appoint Auditors to re-audit and re-settle the militia fine account of Charles L. Jackson, late Treasurer of Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the court of common pleas of Wyoming county is hereby authorized to appoint three auditors, to re-audit and re-settle the militia fine account of Charles L. Jackson, late treasurer of Wyoming county. Appointment of auditors authorized.

To be sworn.

Compensation.

Subject to.

Proceedings
against Jackson
suspended.

SECTION 2. That the said auditors, before proceeding to the performance of their duties, shall be duly sworn, and shall proceed in all respects in the same manner as is provided in the case of county auditors, shall receive the same per diem pay, and their decision shall in all respects be subject to the same rules and regulations as in the case of county auditors; and that all proceedings against said Jackson and his bail, be and is hereby suspended in the meantime.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 293.

AN ACT

Authorizing the Commissioners of Centre and Clinton counties to apportion the cost of constructing a Bridge over Beech creek, between said counties and the townships adjacent thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the viewers appointed in pursuance of an act of assembly, passed the thirteenth of June, Anno Domini one thousand eight hundred and thirty-six, to view the ground for the construction of a bridge over Beech creek, in the township of Liberty, in Centre county, and the township of Beech Creek, in Clinton county, be authorized to apportion the cost of construction between the counties in which the said bridge is to be erected, and the townships adjacent thereto, in such manner as they may deem just: *Provided,* That either of said townships may have the right to appeal from such apportionment to the court of quarter sessions of the proper county, and the decision of that court shall be final and conclusive.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 284.

A SUPPLEMENT

To the act incorporating the East Liberty and Penn Township Plank Road Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time limited for the completion of the said plank road be and is hereby extended to the fifth day of April, Anno Domini one thousand eight hundred and seventy-two. Time for completion extended.

SECTION 2. That the said company is hereby authorized and empowered to change the said plank road into a M'Adamized road, and to retain all the privileges of said company. Authorized to make a M'Adamized road.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL.

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 285.

AN ACT

Vacating a certain Street and Alley in the borough of Easton, in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Eleventh street as extends from Butler street south, to the river Lehigh, in the borough of Easton, in the county of Northampton, and also that part of Oak alley, running between Spruce alley and Walnut street, in the borough above mentioned, be and the same are hereby vacated.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 286.

A N A C T

To incorporate the Mount Union, Shirleysburg and Orbisonia Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. Thomas E. Orbison, David Etnier, Simon Gratz, B. X. Blair, John Lutz, William P. M'Nite, William B. Leas, George Swine, George Wakefield, John Shaver, senior, John Eby, George W. Speer, Peter M. Bare, B. R. Foust, J. C. Sechler, A. P. Wilson, Henry Brewster, George M'Laughlin, John Dougherty and Samuel Miller, are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Mount Union, Shirleysburg and Orbisonia turnpike road company, with power to construct a turnpike road from Mount Union, by way of Shirleysburg, to Orbisonia, in Huntingdon county, with the right to occupy the location of the present township road, where the same may be necessary, between said points, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine.

Title.

Route.

Privileges.

Subject to.

Capital stock. **SECTION 2.** That the capital stock of said company shall consist of five hundred shares of fifty dollars each.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 297.

A FURTHER SUPPLEMENT

To an act incorporating the Wellsboro' and Tioga Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second section of the supplement to an act to incorporate the Wellsboro' and Tioga plank road company, approved the twenty-ninth day of May, one thousand eight hundred and fifty-six, be and the same is hereby repealed.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 283.

AN ACT

For the relief of certain Officers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby directed to pay to the examiners the costs of taking testimony in the case of the Erie and North-East railroad company versus Joseph Casey, in which the state was the party interested, and to sheriff T. B. Vincent, his costs in serving process in cases of the commonwealth versus Erie and North-East railroad company, and also against the Franklin canal company, said costs to be ascertained by the prothonotary of the Eastern district of the supreme court of Pennsylvania.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 289.

A N A C T

To enlarge the boundaries of the borough of West Greenville, in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the boundaries of the borough of West Greenville, in the county of Mercer, be and they are hereby enlarged as follows, to wit: Beginning at the north-west corner of said borough; thence north eighty-two degrees west fifty-one rods to a dogwood by lands of William Law; thence by private way north one and one-half degrees west forty-three and four-tenths to a post; thence by lands of C. Bittenbauner north eighty-six degrees east fifty-six rods to a post; thence by lands of Daley and Harnet south twenty-seven degrees east forty-two rods to borough line; then by borough line thirty rods to the place of beginning; and the land included in the above mentioned limits is hereby made part and parcel of the said borough, as fully as if it had been included in the act incorporating the same.*

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 290.

A S U P P L E M E N T

To an act to incorporate the town of Newville, in Cumberland county, into a borough, passed the twenty-sixth of February, Anno Domini one thousand eight hundred and seventeen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the borough of Newville, who are entitled to vote for members of the legislature, shall vote for borough officers for said borough at the time and place of holding their*

Qualifications of voters for borough officers.

township election: *Provided*, They have resided in said borough six months immediately preceding said elections, and paid a borough tax within two years, which shall have been levied at least six months before said elections: *And provided further*, That all voters residing in said borough between the age of twenty-one and twenty-two years shall vote without paying tax.

SECTION 2. That the election for township and borough officers in said borough, shall be opened at one o'clock, P. M., and kept open until seven o'clock, P. M., without interruption. Time of holding elections.

SECTION 3. That all laws or parts of laws hereby altered or supplied, be and the same are hereby repealed, so far as relates to the borough of Newville. Repeal.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two

A G. CURTIN

No. 291.

AN ACT

To incorporate the Oley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Herbst, George S. Yoder, Enoch E. Griesemer, Peter D. Griesemer, Wellington B. Griesemer, John Snyder and Amos Ritter, all of Berks county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title Title. of the Oley turnpike road company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto. Subject to.

SECTION 2. That said company shall have power to locate and construct a turnpike road, beginning on the state road leading from Kutztown to Boyerstown, on land of William Keim, in Pike township, Berks county, and ending on the Reading and Perkiomen turnpike road, at or near the public house of George Hill, in Alsace township, in said county. Route.

May locate on
other roads.

SECTION 3. That the said company shall have power to locate the said turnpike road on any public highway, wherever it may be found necessary or convenient by the said company to do so.

Capital stock.

SECTION 4. That the capital stock of said company shall consist of five hundred shares, of twenty-five dollars per share; and the said company may from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as in their opinion may be required to complete said turnpike road.

When tolls may
be collected.

SECTION 5. That the said company shall have power to put up a gate or gates, and to levy and collect tolls from persons using said road, at the rates prescribed in the act regulating turnpike and plank road companies, so soon as they shall have completed two miles of said road.

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 292.

AN ACT

To authorize the qualified voters of Ligonier township, in the county of Westmoreland, to elect four Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful for the qualified voters of the township of Ligonier, in the county of Westmoreland, annually, to elect four supervisors of roads and highways for said township, at the same time and place now fixed by law for the election of supervisors.

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 293.

AN ACT

To correct a clerical error in a supplement to an act to incorporate the Wilkesbarre Water Company, approved the first day of May, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the word "mines," at the end of the first section of a supplement to the act to authorize the governor to incorporate the Wilkesbarre water company, approved twelfth February, one thousand eight hundred and fifty, approved May first, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby changed to "minors."*

F. M. CRANE,
Speaker of the House of Representatives pro tem.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 294.

AN ACT

To repeal the second and third sections of an act, entitled "An Act in relation to the election of a Supervisor in Lack township, Juniata county," et cetera, passed the twelfth day of April, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second and third sections of an act, entitled "An Act in relation to the election of a supervisor in Lack township, Juniata county," et cetera, approved the twelfth day of April, Anno*

Domini one thousand eight hundred and fifty-one, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 295.

AN ACT

Relating to the First Presbyterian Congregation in Kensington, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the First Presbyterian congregation in Kensington, in the city of Philadelphia, be and the same is hereby authorized to grant, bargain and sell, lease, release, convey and confirm, to such person or persons, and for such consideration, price or prices as the said corporation may deem proper, in fee simple, or on ground rent, all or any part of its real estate in the city of Philadelphia; and that the vendee or vendees of any such property, be and they are hereby vested with the fee simple title of, in and to the same, subject to such ground rent or rents, if any, as may be reserved thereout to them, their heirs and assigns forever.

Authorized to
sell real estate.

May borrow money on bond and mortgage.

SECTION 2. That if it shall be deemed by the said corporation advantageous to raise money on bond and mortgage, on the whole or any portion of its property, it is hereby authorized and empowered to do so.

Sale of ground
rents, relative to.

SECTION 3. That if the said corporation should let any of the said property on ground rent, as aforesaid, it may and is hereby empowered and fully authorized to sell and dispose of the ground rents so reserved, and convey the same to the purchasers thereof.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 295.

A SUPPLEMENT

To an act to authorize the School Directors of the borough of Pinegrove, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the common schools of the borough of Pinegrove, in the county of Schuylkill, are hereby empowered and authorized to borrow any sum or sums of money, not exceeding two thousand dollars, at a rate of interest not exceeding seven per cent., for the purpose of liquidating and paying certain bonds and mortgages, or either, which were issued under the provisions of an act, entitled "An Act to authorize the school directors of the borough of Pinegrove, in the county of Schuylkill, to borrow money," approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six, and that the bonds shall be secured according to the provisions of said act, and be liquidating within five years from the passage of this act.

JOHN ROWE,
Speaker the of House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 297.

AN ACT

To lay out a State Road in Fayette and Westmoreland counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Randall Johnson, of Westmoreland county, Robert Boyle and ~~Commissioners~~ Samuel Brown, of Fayette county, be and the same are hereby appointed commissioners to view, lay out and mark a state road, beginning on the road at or near the north corner of L. Route. M. Speer's orchard, in Rostraver township, Westmoreland

county; thence, by the nearest and most practicable route through what is known as Linn's bottom, to a point on the Perryopolis road, at or near the grist mill of David M'Lean, in Washington township, Fayette county.

Duty of commissioners.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same, or the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby authorized to employ one surveyor, at a per diem allowance of two dollars, two chain carriers, at a per diem allowance of one dollar; and the said commissioners, respectively, shall receive a per diem allowance of one dollar, for each day necessarily employed in the discharge of the duties enjoined by this act; which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county.

Pay of surveyor, commissioners, &c.

Drafts.

SECTION 3. That it shall be the duty of said commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation; one copy whereof to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of January next, and thenceforth said road shall be a public highway, and shall be opened to the width of thirty feet, and at grade of five degrees from a horizontal plane, and repaired as all other roads laid out by the courts are made and repaired.

Width and grade

Vacancies.

SECTION 4. That the commissioners shall proceed as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death, resignation, or otherwise, the same shall be supplied by the remaining commissioners or commissioner selecting suitable persons or person to constitute a board of at least three members.

Duties of supervisors.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road shall pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 298.

AN ACT

To authorize the Assessors and Collectors of Taxes in Plane Grove township, in the county of Lawrence, to assess and collect taxes on certain lands and other property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the assessors and collectors of taxes of Plane Grove township, in the county of Lawrence, be and are hereby authorized and required to assess, collect and pay into the proper treasuries of Lawrence county, the taxes on twenty-three acres of land, situate in the county of Butler, being a part of a tract of one hundred and sixty acres of land, one hundred and thirty-seven of which is situated in Lawrence county, and now owned by J. C. Shaw, of Neshannock Falls, Lawrence county.

Taxes on certain lands in Butler county to be paid into treasury of Lawrence county.

SECTION 2. That the assessors and collectors of taxes in Slipperyrock township, county of Butler, be and are hereby released and exonerated from assessing and collecting the taxes on the twenty-three acres of land mentioned in the first section of this act.

Exoneration.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 299.

A SUPPLEMENT

To an act to amend the Road Laws of Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* according to the true intent and meaning of the act, entitled "An Act to amend the road laws of Montgomery county," approved March fifteenth, one thousand eight hundred and fifty-nine, all notices published in two newspapers, as provided by

LAWS OF PENNSYLVANIA,

the said act, shall be held and deemed valid publications under the said act, whether the same be German or English newspapers: *Provided*, They be papers published nearest the road intended to be laid out under the said act; and the said act shall at all times be so construed as to recognize publication of notices in the German as well as in the English language.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 300.

AN ACT

Granting a Pension to Henry Stewart, a disabled soldier.

WHEREAS, Henry Stewart, a private of company A, in the second regiment of the Reserve Volunteer Corps of this state, received a sun-stroke on the twelfth day of June, Anno Domini one thousand eight hundred and sixty-one, while actually in the service aforesaid, by which he has been made totally blind:

And whereas, The said Henry Stewart was not mustered into the service of the United States, and has been regularly discharged by the military authorities of Pennsylvania, having received a certificate from Thomas B. Reed, surgeon of the said regiment, declaring him totally unfit for any sort of duty; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Henry Stewart, a disabled private of company A, (Captain Woodward's,) in the second regiment of the Reserve Volunteer Corps of this state, shall receive a life annuity of one hundred dollars, to date from January first, one thousand eight hundred and sixty-two, and to be paid by the state treasurer, semi-annually, on the first days of July and January, from any moneys not otherwise appropriated.

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 301.

AN ACT

Authorizing the Trustees of Northumberland Academy to transfer their funds and lot of ground to the Board of School Directors of Northumberland borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any two of the surviving members of the board of trustees of the Northumberland academy, who may be residing in the borough of Northumberland, Pennsylvania, at the date of the passage of this act, be and they are hereby authorized and empowered to assign, transfer, set over and convey, all the funds, moneys, bonds, claims, demands, lots and property, real, personal and mixed, of the Northumberland academy, to the board of school directors of the said borough of Northumberland, their successors and assigns, for the use of the school district of the borough of Northumberland aforesaid.

Transfer of certain funds and property to school directors of Northumberland authorized.

SECTION 2. That the directors of said school district are hereby authorized, empowered and directed to collect the said claims, funds, bonds, moneys and demands, and sell, convey and dispose of all the property of the said Northumberland academy, that may be transferred or conveyed to them, in pursuance of the foregoing section, and apply the proceeds thereof, when converted into money, towards the construction of such school houses as in their judgment may be required for the use of said district.

School directors authorized to collect and sell.
Application of proceeds.

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 302.

A N A C T

To authorize Hiram Wood to erect a Ferry over the Allegheny river, in Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Hiram Wood, of the township of Pleasant, in the county of Warren, his heirs and assigns, shall have the exclusive right and privilege, for the period of ten years from the passage of this act, at his own expense, to erect and keep a ferry across the Allegheny river, for the distance of three-eighths of a mile above and three-eighths of a mile below the mouth of the Brokenstraw creek, opposite his farm, in Pleasant township, and to use such as a public ferry, and shall receive such tolls for carrying persons, teams, carriages, horses and other animals, as may be prescribed by the court of quarter sessions of Warren county: *Provided, That the navigation of said river shall not be obstructed: And provided further, He shall not take and use lands belonging to other persons, without their consent.*

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 303.

A N A C T

To incorporate the parties doing business at the Reading Iron works, in Berks county, under the name, style and title of Seyfert, M'Manus and Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John M'Manus, Horatio Trexler, William M. Seyfert, James M'Carty, Charles H. Hunter and Henry A. Hunter, now doing
 Corporators.

business at the Reading iron works, Berks county, Pennsylvania, their associates, successors and assigns, and all such persons and parties, companies or firms as shall become stockholders in the company hereby incorporated, shall be and they are hereby constituted a body politic and corporate, by the name and style and title of Seyfert, M'Manus and Company, to be located at or in the vicinity of Reading, Berks county, Pennsylvania; and by said name, style and title shall have succession and a common seal, with power to alter the same at pleasure; and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere; and to appoint all necessary agents and assistants; and shall have all the rights and powers necessary to carry on, manage and develop their business as a manufacturing company, in manufacturing iron and other metals in all the various branches, from the ores or otherwise, as they may deem desirable, and generally to make anything which can be manufactured of iron and other metals, and vend, sell and dispose of all such materials and manufactured articles as they may deem proper or necessary in the prosecution of their business; and for that purpose shall have power to purchase and hold, in fee simple, under lease or otherwise, not exceeding three thousand acres of land, and to purchase and hold all such personal and other property as may be necessary or convenient for the prosecution of their business, and to sell and dispose of the property, real and personal, of said company.

Title.

Powers and privileges.

SECTION 2. That a majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, at Reading, and when two hundred and fifty shares of stock are subscribed for and fully paid in money, or in property, as herein provided, the corporators named in this act, or a majority of them, shall call a meeting of the stockholders, for holding the first election of directors of said company, and when said election is made, this act shall take full effect; each share of stock shall be entitled to one vote, and stockholders may vote in person or by proxy.

Subscription to capital stock.

Election of directors.

Votes.

SECTION 3. That the capital stock of said Seyfert, M'Manus and Company shall be two hundred and fifty thousand dollars, to be divided into shares of one thousand dollars each, with the right and power in said company to increase its capital stock from time to time, as it may elect, to any sum not exceeding the whole cost to said company of its lands, buildings, works, improvements, materials, stocks and other property, but in any event not to exceed the sum of one million dollars; the subscription to the capital stock may be made payable in money, or in real or personal property appropriate to the business contemplated by this act, at a fair valuation, to be fixed upon by a majority in interest of its stockholders, at the time of such purchase, and such purchases may include the real and personal estate heretofore belonging to the parties associated jointly in business, and known as the firm of Seyfert, M'Manus and Company: *Provided*, That the said shares of stock shall be assignable and transferable only on the books of said corporation, on notice given to the board of directors of the same, according to the rules and regulations of the by-laws of said corporation;

Capital stock.

Limitation.

Subscriptions, how payable.

Provide.

Provide.

but that said board of directors, on behalf of said corporation, shall have the pre-emption right to buy such shares of stock, so to be transferred or assigned, at such price as any person offering to buy the same may have offered to pay therefor: *And provided further,* That the said corporation shall issue certificates for said stock, which shall bear upon their face notice that they cannot be transferred or assigned, except upon the books of the corporation, on notice given to the board of directors of the same, according to the rules and regulations of the by-laws of said corporation; and that the board of directors, on behalf of said corporation, has the pre-emption right to buy such shares of stock, at such price as any person offering to buy the same may have offered to pay therefor; and also that the holder of such certificate or certificates, is individually liable for all debts due, or to become due by said corporation.

Board of directors.

SECTION 4. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not less than five, nor more than thirteen, as may be determined from time to time by the stockholders at any annual meeting; said board of directors shall be stockholders, and shall be elected annually, after the first election as hereinbefore provided for, and shall hold their offices for one year and until their successors are elected; but any failure or omission to elect such directors annually, shall in nowise impair or affect, meanwhile, the rights and powers of those holding over, or the rights and interests of said company in any way; said board of directors shall elect a president from one of their number, and such other officers and agents as they may deem necessary to manage the affairs of the company, and shall fill all vacancies occurring in their own body, until the next succeeding election by stockholders; and a majority of said board shall form a quorum for the transaction of business; they shall have power to make by-laws for the regulation of the affairs of the company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of this commonwealth.

Officers.

Vacancies.

Quorum.

By laws.

May borrow money and issue securities.

SECTION 5. That said company may borrow money and create indebtedness, in such way and manner as the board of directors may deem necessary for the prosecution and management of the business of the same, and issue the securities of said company therefor, in such form and manner, and payable in such places, as they may deem proper, at a rate of interest not exceeding seven per cent., and dispose of such securities in such manner and at such places as such board may direct.

Bonus to state.

Individual liability.

SECTION 6. That the said company shall pay into the treasury of the commonwealth a bonus of two and one-half per cent. on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, in lieu of any tax on dividends; and the stockholders of said company shall be individually liable for all debts due, or to become due by said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna iron and coal company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided,* That executors, administrators, guardians, and all other trustees, who, by the death of any stockholder, may be-

Provide.

come the holders of stock in their representative capacity, shall be entitled to represent the same, without being subject to any personal liability therefor or on account thereof: *And provided* **Proviso.** *further,* That the legislature hereby reserves the right to amend, alter or repeal this act at any time; in such manner, however, as shall do no injustice to the stockholders.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 304.

AN ACT

Relative to the claim of Joseph Brothers, for damages sustained on the Pennsylvania canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general, auditor general and state treasurer, be and they are hereby authorized to examine the claim of Joseph Brothers, for damages sustained by the sinking of his boat Altoona, in the lock at M'Kissick's, on the Pennsylvania canal, and whatever amount, if any, they shall find due him, the state treasurer is hereby authorized and required to pay the same out of any moneys in the treasury not otherwise appropriated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 305.

AN ACT

To annex the Farm of John Getty, in the county of Indiana, to White township.

WHEREAS, The farm owned and occupied by John Getty, containing about one hundred and sixty acres, in the county of Indiana, is situated partly in Rayne township, and partly in White township, in said county, his mansion house and other buildings being in Rayne township, thus causing great inconvenience to said John Getty; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the farm of John Getty, situated partly in Rayne township, and partly in White township, in the county of Indiana, be and the same is hereby annexed to and made part of the said township of White, for all and every purpose, and shall be liable and subject to the provisions of all acts of assembly relative to the said township of White.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 306.

AN ACT

Relative to the claim of George Hogg and Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, state treasurer and attorney general, be and they are hereby authorized to examine the claim of George Hogg and Company, for materials furnished for aqueduct number two, Erie extension, and also for materials furnished the state on the*

Columbia railroad, and report the facts, together with the amount that may be due, if any, to the said George Hogg and Company, to the legislature.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 307.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Farmers' Mutual Fire Insurance Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of the twenty-third of March, Anno Domini one thousand eight hundred and sixty, entitled "An Act to incorporate the Farmers' mutual fire insurance company," be and the same is hereby so modified as to read "Hannahstown and vicinity," wherever the word "Saxonburg" occurs in said act; and the directors of said company are hereby authorized to locate the same in Hannahstown, in Butler county.

Act of incorporation amended.

SECTION 2. That all acts, proceedings and resolutions of said directors be and they are hereby declared to be as valid, regular and binding, as if the same had been organized, located and established in Hannahstown; and the proceedings of said board of directors are hereby affirmed.

Former proceedings declared valid.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 308.

A N A C T

For the relief of Mary Ritchey, widow of William Ritchey, an old soldier

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Mary Ritchey, of Ohio township, Allegheny county, the widow of William Ritchey, an old soldier, or to her order, an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and sixty-two, and payable half yearly thereafter, on the first days of July and January.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 309.

A N A C T

For the relief of George Conrad, one of the bail of Jacob Young, former Treasurer of Northumberland county.

WHEREAS, Jacob Young was treasurer for the county of Northumberland, for the years one thousand eight hundred and fifty-two and one thousand eight and fifty-three, stands indebted to the commonwealth of Pennsylvania in the sum of twelve hundred and sixteen dollars, with interest, which was money collected for the commonwealth:

And whereas, The said Jacob Young, the treasurer, as also John Young, Jacob Weimer, John C. Morgan, Jacob Seasoltz and John Farnsworth, bail for said Young, have become insolvent, leaving the whole amount to be paid by George Conrad, the remaining bail:

And whereas, Each of these persons were in good circumstances up to the year one thousand eight hundred and fifty-seven, but no proceedings were had by the commonwealth for

the collection of the amount due by the said Jacob Young; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized and required to settle the balance against Jacob Young, former treasurer of Northumberland county, in full, if George Conrad, one of the bail of said Young, shall within thirty days after the passage of this act, pay into the treasury of the commonwealth the whole amount of the principal debt, without interest, which is hereby released.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 310.

AN ACT

To extend to Somerset county the provisions of the seventh section of an act passed for Schuylkill county, entitled "An Act for defraying the expenses of the investigation in the case of the Freeport Aqueduct," et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the seventh section of an act, entitled "An Act for defraying the expenses of the investigation in the case of the Freeport aqueduct," et cetera, conferring the right of appeal from the decision of the commissioners of Schuylkill county, on assessments, to the court of common pleas of said county, passed the twenty-sixth day of April, one thousand eight hundred and fifty, be and the same is hereby extended to the county of Somerset.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 311.

AN ACT

To authorize the Mill Creek Independent school district to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the Mill Creek independent school district, in the county of Erie, be and they are hereby authorized to incur a debt or debts, for the purpose of erecting and completing a school house in said district, in any amount not exceeding four thousand dollars; and it shall be lawful for the board of school directors of said school district to issue bonds for the same, at any rate of interest not exceeding eight per centum per annum, and secure the debts so incurred, by bond or bonds, with mortgage or mortgages upon the estate belonging to or that may thereafter belong to the said independent school district, or otherwise, as the said directors may deem proper; said debt or debts to be paid out of the tax yearly collected for building purposes in the said district; which said tax shall in no year exceed the building tax under the existing laws, nor be less than one-eighth of the whole debt incurred; and the whole of the said building tax, in each and every year, shall be applied to the payment of said debt, until the debt and interest are extinguished.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 312.

AN ACT

Relating to taxes on Unseated Lands in Foster township, Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the road tax on unseated lands in the township of Foster, county of Luzerne, shall hereafter be applied exclusively to the*

payment of the debts contracted and now due, for the making and repairing the roads of said township; and that the auditors of said township shall at their next, or any subsequent meeting after the passage of this act, ascertain and fix the amount of said indebtedness; and the supervisors of said township are hereby required to pay the unseated land tax as soon as received on said claims, as adjusted *pro rata*, until the same are fully paid: *Provided nevertheless*, That nothing contained in this act shall prevent persons aggrieved, by decision of auditors, from appealing, as is now by law provided.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 313.

AN ACT

Relative to the publication of Ordinances in the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the eighth section of an act, entitled "An Act to incorporate the city of Allegheny," approved the thirteenth day of April, Anno Domini one thousand eight hundred and forty, as requires the ordinances, et cetera, of said city, to be published in one or more of the public newspapers of said city, is hereby repealed, so far as regards an ordinance to be designated the city code of Allegheny, now being prepared for adoption and publication in book form; and that so much of said act as may seem to require the publication of ordinances, et cetera, of the councils of said city, in one or more newspapers of said city, shall be construed to mean the publication thereof in one or more newspapers published in the county of Allegheny.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 314.

AN ACT

For the relief of Jane Parker, widow of John Parker, an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Jane Parker, of East Huntingdon township, in the county of Westmoreland, the widow of John Parker, an old soldier, or to her order, an annuity of forty dollars during her natural life, commencing with the first day of January, one thousand eight hundred and sixty-two, and payable half yearly thereafter, on the first days of July and January.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

— — —
No. 315.

AN ACT

For the more efficient collection of Debts due the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several provisions of the twelfth section of the act of the sixteenth April, one thousand eight hundred and forty-five, entitled "An Act to increase the revenues and diminish the legislative expenses of the commonwealth," and of the fourth section of the act of the twenty-first April, one thousand eight hundred and forty-six, entitled "A supplement to the law relating to defaulting public officers," are hereby extended to all suits by the commonwealth against counties, corporations, and persons whatsoever; and the said fourth section of the said act of the twenty-first of April, one thousand eight hundred and forty-six, shall be so construed as to require that the affidavit

of defence shall set forth specifically the nature and character of the defence: *Provided*, That a county shall not be required to file an affidavit of defence.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 316.

AN ACT

Relating to the office of Justice of the Peace in the Fourth ward of the borough of Johnstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for T. L. Heyer to hold the office of justice of the peace in and for the Fourth ward of the borough of Johnstown, in the county of Cambria, during the remainder of the term for which he was elected justice of the peace for said ward, notwithstanding his place of residence may be in one of the other wards of said borough.*

JOHN ROWE,
Speaker of the House of Representatives

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

LAWS OF PENNSYLVANIA,

No. 317.

AN ACT

To Legitimate Children of Richard Potter and Ann Jane his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Elizabeth and Mary Mindwell, children of Richard Potter and Anna Jane Potter, his wife, of Jackson township, in the county of Susquehanna, shall have and enjoy all the rights, benefits, privileges and advantages of children born in lawful wedlock, and shall be able and capable, in law, to inherit and transmit any estate whatsoever, as fully and completely, to all intents and purposes, as if they had been born in lawful wedlock.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

§ APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 318

SUPPLEMENT

To the act, entitled "An Act for the relief of Dickinson College, in the borough of Carlisle, in the county of Cumberland," passed twenty-ninth day of January, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the powers granted to the trustees of Dickinson college, in the borough of Carlisle, in the county of Cumberland, to borrow money, et cetera, in the act to which this is a supplement, be and is hereby extended to the sum of thirty thousand dollars,*

with the same powers to give security as in the act to which this is a supplement.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 319.

AN ACT

To change the time of holding the Elections in Greene county.

WHEREAS, It frequently happens that the court of quarter sessions of the county of Greene hold its sessions previous to the time of holding the township elections in said county:

And whereas, Special courts have to be called for the purpose of swearing in the new constables; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time of holding the township elections in Greene county, be and the same is hereby changed from the third to the second Friday of March.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 320.

AN ACT

To authorize the School District of Woodcock borough to borrow money.

School directors authorized to borrow money and issue bonds therefor. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Woodcock, in the county of Crawford, are hereby authorized to borrow any sum of money, not exceeding fifteen hundred dollars, and issue bonds for the same, in sums not less than twenty-five dollars each, bearing a rate of interest not exceeding six per cent. per annum.

May levy additional tax to secure payment of bonds. SECTION 2. That in order to provide for the payment of the principal and interest of said bonds, the said school directors are hereby authorized and empowered, in addition to the tax now authorized by the common school laws of this commonwealth, to levy a tax, to be assessed on the last adjusted valuation on the real and personal property of said borough for state and county purposes, annually, until the said bonds are fully liquidated and no longer: *Provided,* That the said tax shall be assessed in amounts as nearly equal for each year as is practicable, and be collected in not less than three years, nor more than five.

Proviso.

Application of funds. SECTION 3. That it shall be the duty of the school directors of said borough, judiciously to expend the money realized from said bonds, in purchasing and procuring building materials, suitable grounds, labor, et cetera, to build a public school house for the accommodation and use of the common schools of said borough; and it shall be lawful for the said school directors to permit the use of any part of said building for any purpose, until such time as the entire occupancy thereof shall be required for common school purposes; and any rents or profits arising therefrom shall be applied to the payment of the principal and interest of said bonds, until they are paid, and then go into and form a part of the common school fund of said borough.

May rent part of building.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 321.

A SUPPLEMENT

To the act incorporating the Watsonstown Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified for commencing and completing the Watsonstown bridge, incorporated by act of assembly, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby extended for the term of five years from the first day of April, Anno Domini one thousand eight hundred and sixty-two; and that Peter Schaeffer, William H. Fullmer, James P. Armstrong, A. T. Goodman, Silas Romback, Moses Chamberlin, David Marr and Ferdinand Piper, of Northumberland county, and David B. Kauffman, Robert Candor, Charles Gudykunst, Benjamin Griffey, James Marshall, William Walten, Charles M. King, William F. Denoskey, of Union county, be and are hereby added to the commissioners, any seven of whom shall constitute a quorum.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 322.

AN ACT

Relative to the North Fork Bridge, in the borough of Brookville, Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Declared to be a from and after the passage of this act, the bridge across the county bridge. North Fork creek, in the borough of Brookville, Jefferson county, be and is hereby declared a county bridge, and that the expense

Cost of erection,
how paid.

Duty of county
commissioners,
&c.

of erecting the same be paid by orders drawn by the commissioners of Jefferson county on the county treasurer.

SECTION 2. That it shall be the duty of the county commissioners of Jefferson county to maintain and keep up said bridge, at the expense of said county, under the provisions of the general bridge laws of this commonwealth.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 323

AN ACT

To appropriate the Road Taxes on certain Unseated Lands in Tioga county, to the improvement of a Road through the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road taxes assessed and to be collected during the ensuing four years, under the existing laws of this commonwealth, upon and from all the unseated lands in the township of Elk, in the county of Tioga, shall be and they are hereby appropriated to and directed to be expended upon the improvement of the township road, leading from the site of the Billings steam mill, down Cedar run, to the line of said county, or for so long a period, not exceeding four years, as may be necessary to complete the same.

Appropriation of
road taxes on un-
seated lands in
Elk township.

Limitation.

Commissioners.

Duties and
powers.

Proviso.

SECTION 2. That Silas X. Billings, David Rexford and D. A. Paddock, be and they are hereby appointed commissioners to superintend the appropriation aforesaid; and they shall have like powers, and be subject to like responsibilities, as supervisors of highways in the county of Tioga are by law vested with and subject to, and in addition thereto shall have power to change the location of such parts of said road as they may deem best for the permanent improvement of the same; and if such changes are made, they shall file in the office of the clerk of the court of quarter sessions of said county, a draft, showing the changes so made, as contrasted with the old road: *Provided*, That the said commissioners shall, before entering upon their duties, file in the office of the clerk of the court aforesaid, their bond, with the securities, to be approved by one of the

judges thereof, in two thousand dollars, conditioned for the faithful performance of their duties under this act of assembly; and that accounts of said commissioners shall be filed in, and subject to the correction and approval by, the court of quarter sessions aforesaid.

SECTION 3. That the court of quarter sessions of the county of Tioga shall have power to fill vacancies in said board of commissioners, and to direct the amount of security to be given by the appointee. *Vacancies to be filled by court.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 324.

AN ACT

Supplementary to an act defining the manner of collecting the expenses of grading and paving of the Streets and Alleys in the city of Allegheny, approved May thirty, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when the statement made out by the street commissioner of said city shall set forth that the owner or owners of any property, that is or may hereafter become liable for the cost and expenses of grading and paving, regrading, grading, paving or repairing, of any street, lane, alley or sidewalk, in said city, is or are non-resident of said county, or that he, she or they, are unknown to the said commissioner, and that his, her or their, agent or agents is or are unknown to him, a writ or writs of *scire facias* shall issue, as in other cases, the defendant or defendants being described as unknown; and one or more copies of said writ shall be posted upon the property liable, or hereafter to become liable, as aforesaid; and if the owner or owners, his, her or their, agent or agents do not enter an appearance and file an affidavit of defence, as in other cases, within twenty days after the posting of said copies, as aforesaid, a return day intervening, then judgment may be taken for the amount of said assessment, cost and expenses, and the property exposed to execution and sale upon writ of *levari facias*: *Provided,* That at any time before sale upon said last mentioned writ, upon application made

LAWS OF PENNSYLVANIA,

by the owner or owners of such property, his, her or their, agents, supported by affidavit of a good and legal defence to the claim, setting forth particularly wherein the defence consists, the court having jurisdiction may stay execution, open the judgment and let the defendant or defendants into a defence at their costs.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 225.

A N A C T

To reduce the Capital Stock of the Girard Bank of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the Girard Bank of the city of Philadelphia, be and they are hereby authorized to reduce the capital stock of the said bank to the sum of one million of dollars, and to change the par value of the shares of the stock of said bank from the present par value of fifty dollars per share, to forty dollars per share, and the par value of said shares shall thereafter be forty dollars per share: *Provided,* That the stockholders of said bank, at a meeting to be held for the purpose, upon thirty days' public notice in two daily newspapers published in said city, shall, by the vote of a majority of stockholders then and there present, accept the provisions of this act, and authorize and direct the board of directors to comply therewith; and at such meeting the stockholders present shall respectively be entitled to vote, as provided by the second section of the act of April seventeenth, one thousand eight hundred and sixty-one, relating to meetings of stockholders: *Provided further,* That the issue of small notes by said bank shall not exceed twenty per cent. of the capital stock so reduced.

JOHN ROWE,

Speaker of the House of Representatives.

G. V. LAWRENCE,

Speaker of the Senate pro tem.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 326.

A N A C T

To incorporate the Funkville Bridge Company, in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Andrew B. Funk, L. Haldeman, T. G. Hassey, William D. M'Bride, William H. Ewing and William Haldeman, their heirs and assigns, are hereby created a body corporate, in deed and in law, under the name of the Funkville bridge company, and by said name, they and their successors shall have perpetual succession, and shall be capable of suing and being sued, and shall have all the privileges and immunities of a corporation.

SECTION 2. That said corporation shall have power and are hereby authorized to construct a double track bridge across Oil creek, at Funkville, Venango county, at or near the place where the road leading from Funkville to Titusville crosses said creek, and to exact rates of toll for the use of said bridge.

SECTION 3. The capital stock of said company shall consist of six shares of four hundred dollars each, transferable on the books of the company.

SECTION 4. The officers of this company shall be a president and treasurer, who shall also be ex-officio secretary, and three managers, who shall be elected annually, on the first Monday of June.

SECTION 5. That the said company shall receive a compensation from persons passing over said bridge at the following rates, to wit: For each foot person, one cent; for each one horse carriage, ten cents; for each two horse carriage, or wagon, fifteen cents; for each four horse wagon, twenty-five cents; for each additional horse, five cents; for each yoke of oxen, ten cents, and for each head of horned cattle, led or driven, three cents; for each head of sheep or swine, led or driven, two cents; for each horseman, five cents.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 327.

AN ACT

Relating to Hawkers and Pedlers in the county of Luzerne.

WHEREAS, An act of assembly, approved May first, one thousand eight hundred and sixty-one, entitled "A further supplement to an act supplementary to the acts relating to hawkers and pedlers, and regulating auctions in the county of Schuylkill," as construed, acts injuriously to the citizens of Luzerne county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, said act recited by its title in the above preamble, shall not be construed to affect wholesale pedlers or traveling merchants going from place to place and selling to merchants or dealers, but that they shall have all the rights and be subject to all the restrictions of the general laws of this commonwealth, in such cases made and provided, as fully as if said act had not been passed; and said act shall not be construed to prevent any person from peddling farm products, whether the products of his own farm or not.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 328.

AN ACT

Appropriating the Military Tax of the several counties of the Commonwealth to the relief fund of said counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the military tax collected in the several counties of this commonwealth, except the city

of Philadelphia, is hereby appropriated and applied to the relief fund, for the benefit of the families of volunteers in said counties; and the several treasurers of said counties are hereby authorized and required to pay over any money arising from such tax, on the orders of the commissioners of the relief fund of said counties, so long as the relief fund may be necessary for the purpose aforesaid: *Provided*, That nothing herein contained shall be so construed as to interfere with the payment of military orders already issued in said counties.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 329.

AN ACT

To fix the Salary of the Treasurer of Bedford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the date of the passage of this act, the county treasurer of Bedford county shall be entitled to receive, out of the county treasury, in compensation for his services in behalf of the county, an annual salary of three hundred dollars, the intent and meaning of the foregoing words, to wit: "from and after the date of the passage of this act," being to include the present fiscal year of the county from the beginning: *Provided*, That this act shall not be construed to deprive the county treasurer of any legal fees by law, for selling unseated land for taxes; and so much of any act or acts which authorizes the county commissioners, in conjunction with the county auditors, to fix the compensation of county treasurers, so far as said act or acts affect the treasurer of Bedford county, and so much of the fifth section of the supplement to the act, entitled "An Act for erecting part of Bedford county into a separate county," approved the twelfth day of April, one thousand eight hundred and forty-five, as relates to the fixing of the compensation of

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the treasurer of Bedford county, be and the same is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 330.

AN ACT

Repealing an act to authorize the Commissioners of Roads and Highways for the township of Pleasant, Warren county, to levy additional road tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, approved the twenty-second day of January, Anno Domini one thousand eight hundred and fifty, entitled "An Act to authorize the commissioners of roads and highways for the township of Pleasant, Warren county, to levy additional road tax," be and the same is hereby repealed: Provided, That hereafter the commissioners of roads and highways for said township, shall have power to levy and collect the same amount of road taxes as is now authorized by the general road laws of this commonwealth.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 331.

AN ACT

Relative to the redemption of Lands purchased by the counties of Jefferson and Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the time of redemption upon all lands purchased by the counties of Jefferson and Potter, at treasurer's sale, shall be two years; and that the commissioners thereof, at any time after said sale to them by the treasurer may have a writ of estrepement to restrain any person from committing waste upon said lands, by cutting timber or otherwise.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 332.

AN ACT

Extending the limits of the borough of Orwigsburg, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the lines of the borough of Orwigsburg, in the county of Schuylkill, be and are hereby extended so as to embrace within the limits of the said borough all that part of North Mannheim township, in said county, beginning at a stone in a line of the present limits of said borough; thence by land of Edward Kearns south sixty-seven and one-half degrees west one hundred and twenty-six rods to a corner; thence by land late of Henry Hoy, deceased, north forty-eight degrees west twenty and three-* Limits extended.

quarters rods to a chestnut stump; thence by land of Edward Kearns north fourteen degrees west twenty rods to a corner; thence by land of Abraham Hollebush north twenty-two degrees east nineteen rods to a corner; thence by the same north seventy-five and one-half degrees east fifty-one and five-tenths rods to a corner; thence by the same north thirteen degrees west one hundred and sixteen rods to a corner; thence by the same north seventy-six degrees east fifty-seven and three-fourths rods to a stone, at present one of the corners of said borough.

Taxation, &c., in
territory an-
nounced.

Vote to be taken
on acceptance of
this act.

Election, how
held, &c.

SECTION 2. That the said territory shall, after the passage of this act, be subject to taxation in the borough of Orwigsburg only, and be attached to the Orwigsburg school and election district: *Provided*, That this act shall not become a law until the same shall have been accepted by a majority of the qualified electors of said borough of Orwigsburg and township of North Manheim, voting at an election to be held for that purpose, on the third Monday of July next, which said election shall be held by the regular election officers of said borough, and in accordance with and subject to all the provisions and restrictions of the law relating to borough elections.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 333.

SUPPLEMENT

To the act incorporating the House of Refuge of Western Pennsylvania, approved twenty-second April, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, all persons committed to the Western house of refuge shall be allowed, in all cases of sickness, spiritual advice and spiritual ministration from any recognized clergyman of the denomination to which said inmate may belong; such advice and ministration to be obtained within sight of the person or persons having such inmates in charge; but if the person or persons seeking such, desire religious con-*

solution out of hearing of any officer of said institution, then, in that instance, they shall not be debarred by any rule of said house of refuge.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 334.

AN ACT

For the relief of Catharine Overly, widow of an Old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Catharine Overly, of Mount Pleasant township, Westmoreland county, the widow of Christopher Overly, an old soldier, or to her order, an annuity of forty dollars during the term of her natural life, commencing on the first day of January, in the year of our Lord one thousand eight hundred and sixty-two, and payable half yearly thereafter on the first days of July and January.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 335.

AN ACT

Authorizing an examination of the Claims of William K. Piper and Thomas J. Parrish, of Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, state treasurer and attorney general, be and they are hereby authorized to examine the claims of William K. Piper and Thomas J. Parrish, of Cambria county, against the commonwealth for wood and materials furnished, hauling done and labor performed, on the Portage railroad; and if in equity any amount be found due said William K. Piper and Thomas J. Parrish, or either of them, to report the same to the next legislature.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 336.

SUPPLEMENT

To an act, entitled "An Act establishing a mode of selecting and drawing Jurors in and for the city of Philadelphia," approved April twentieth, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter one judge, either of the supreme court, or of the district court, or court of common pleas of the city of Philadelphia, together with the sheriff, or his duly authorized deputy, shall be sufficient to superintend the drawing of jurors to serve in the several courts of the said city.*

Change in number of judges composing board for selecting and drawing jurors.

SECTION 2. That in lieu of the list of the names, occupations and residences of persons selected by the board for drawing and selecting jurors, to serve in the several courts in the city of Philadelphia, required by an act of assembly, approved the twentieth day of April, Anno Domini one thousand eight hundred and fifty-eight, to be filed in each of the courts, it shall only be necessary to file a list of said names, occupations and residences, in the office of the prothonotary of the supreme court, for preservation and public inspection, and that one other such list shall be made out, and kept in the custody of the secretary of said board.

List of names, occupations, &c., to be filed only in office of prothonotary of supreme court.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 337.

AN ACT

To repeal an act, entitled "A supplement to an act to authorize the Managers of the Indiana and Ebensburg Turnpike to collect Tolls for certain purposes."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supplement to an act to authorize the Indiana and Ebensburg turnpike to collect tolls for certain purposes, approved the seventeenth day of April, one thousand eight hundred and sixty-one, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 338.

AN ACT

For the protection of Sheep in certain counties.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the commissioners of the counties of Mercer, Clinton and Susquehanna, and they are hereby required to cause an accurate return to be taken annually, by the assessors of the several townships and boroughs within the said county, of all dogs owned or possessed by any person or persons within their respective townships or boroughs, particularly noting the number owned or possessed by each person and kept about any one house; and when the said commissioners shall have so ascertained the number of dogs aforesaid, they shall levy and cause to be collected annually, from any person or persons owning or possessing one dog, twenty-five cents; and for every additional dog kept about the same house, one dollar, at the same time and in the same manner as the county rates and levies are collected; and five per centum of the same shall be allowed as collection fees; and it shall be the duty of the county treasurer to keep separate accounts of the money arising from the tax on dogs, and the said money shall be and is hereby appropriated as a fund for remunerating the inhabitants of the said county for any loss they shall sustain, after the passage of this act, by sheep being destroyed or injured by a dog or dogs.
- SECTION 2.** That every dog kept or staying about any house shall be deemed sufficient evidence of ownership to authorize the assessor to return the person inhabiting said house as the owner or possessor of such dog; and every dog not returned shall be deemed to have no owner, and may be lawfully killed by any person seeing him running at large.
- SECTION 3.** That when any inhabitant of the county aforesaid shall have any sheep destroyed or injured by a dog or dogs, the appraisers mentioned in this act are hereby authorized and required to view and ascertain the amount of damage sustained by the owner of such sheep destroyed or injured, as aforesaid; and when they shall have ascertained the legality of the claim and the damages so sustained, they, or any two of them, shall certify the same under their hands and seals, to the commissioners of the said county, who shall draw their warrant on the county treasurer for the amount so certified, to be paid out of the fund arising from the tax on dogs: *Provided*, That this act shall not be so construed as to repeal any law now in force providing for the collection of damages done to sheep by dogs, from the owner or owners thereof: *And provided further*, That the said appraisers shall not certify an appraisement of damages to the county commissioners for payment, as aforesaid, in any case in
- Annual return to be made, by assessors, of all dogs within the counties of Mercer, Clinton and Susquehanna.**
- Commissioners to levy tax upon the same.**
- Collection.**
- Appropriation of.**
- Evidence of ownership.**
- Dogs not returned may be killed.**
- Payment of damages sustained by owners of sheep.**
- Proviso.**
- Proviso.**

which, in their opinion, there is sufficient proof to charge the owner or owners of dogs, who are solvent, with the damages aforesaid, under existing laws, until suit shall have been brought, tried, and judgment entered against the plaintiff.

SECTION 4. That when any inhabitant of the county aforesaid shall have any sheep destroyed or injured by a dog or dogs, he may make complaint to one of the justices of the peace of his or her township or borough, who shall thereupon appoint three appraisers of said damage, who shall have full power and authority to examine, as witnesses, any person or persons, who shall appear before them, respecting the premises, upon oath or affirmation, to be by them administered; and it shall be the further duty of the said appraisers, and they are hereby required, to ascertain whether the owner of the sheep so destroyed or injured owns, possesses or keeps a dog or dogs about his or her premises, and shall make report of the fact, together with the appraisement of damages aforesaid, to the commissioners of the said county; and if it shall appear to the said commissioners that the owner aforesaid did not make a true return to the proper assessor, of the said dog or dogs, the said owner shall not be entitled to receive any part of the said damages.

Complaint to be made to justices.

Appointment of appraisers.

Their duties.

SECTION 5. That the persons so appointed appraisers shall severally receive for their services the sum of one dollar per day, while engaged in the performance of their duties under this act, which sums shall be added to and paid with the damages so appraised; and the said appraisers, after their appointment and before they enter upon the performance of their duties enjoined by this act, shall severally take and subscribe, before the said justice of the peace, an oath or affirmation that they will faithfully and impartially perform all of their said duties to the best of their judgment and ability; which said certificate shall be immediately filed in the office of the county commissioners.

Compensation.

Oath.

SECTION 6. That if any person in the said county shall permit any dog or dogs to be kept or remain about his premises, that is not returned by him to the assessor, such person shall be liable to pay a fine of three dollars, to be recovered in a suit in the name of the commonwealth, before a justice of the peace, with costs, as debts of like amount are by law recoverable, one-half thereof to be paid to the informer, and the other half to be paid to the county treasurer, to be placed by him in the fund of taxes on dogs.

Fines for failure to return dogs to assessors.

SECTION 7. That any dog seen within an enclosure where sheep are kept within the said county, except when in company with the owner or some member of his or her family, may be lawfully killed.

When dogs may be killed.

SECTION 8. That should the fund, arising from the tax on dogs aforesaid, accumulate in the treasury to an amount beyond what the county commissioners may think necessary to carry out the provisions of this act, they shall have power and they are hereby required, as often as such contingency occurs, to proceed to set apart such surplus for common school purposes, and to divide the same among the several school districts within the said county, in proportion to the number of the taxable inhabitants in each of the said school districts; and shall draw their

Surplus of tax, how appropriated.

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warrants in favor of the school treasurers of the respective school districts for their proportions of the sum to be paid out, accounted and settled for, by the said school treasurers, as the common school fund is paid out, accounted and settled for.

Dogs declared to be personal property.

SECTION 9. That dogs in the said county are hereby declared to be personal property, and shall be as much the subject of larceny as any other kind of personal property whatever.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 339.

AN ACT

To authorize the Surveyor General to furnish copies of certain Surveys to the county Surveyor of Somerset county.

WHEREAS, Some of the records of surveys, in the county surveyor's office for the county of Somerset, have been lost, and many surveys been negligently left unrecorded by previous surveyors for said county:

And whereas, The commissioners of said county desire to supply this deficiency as far as practicable; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the surveyor general of the commonwealth is hereby authorized and required to furnish the county surveyor for the county of Somerset, uncertified copies of all such drafts he may designate as being required to supply a full collection of surveys for said county, at the rate of twenty cents for each draft so furnished.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL.

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 340.

A N A C T

In relation to operators and others in the employment of Telegraph Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the operators, assistant operators, clerks, and other persons, in the employ of the different telegraph companies in the state of Pennsylvania, while doing duty in the offices of said companies, or along the routes of their telegraph lines, shall be exempt from militia duties and serving on juries, and from any fine or penalty for neglect thereof.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 341.

A N A C T

To establish a public Ferry over the Allegheny river above the mouth of Oil creek, in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas G. Downing and James Bannon, and their heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on each side of the Allegheny river, at a place not exceeding one mile above the mouth of Oil creek, in Venango county, and to use the river between said landings as a public ferry; and also, the right and privilege of erecting posts on any lands contiguous thereto, and to extend therefrom and across said stream a chain or wire, in order to Ferry authorised

- Proviso.** facilitate the crossing of said stream: *Provided*, That the said chain or wire shall be so extended as not to interfere with or obstruct the ascent or descent of craft navigating said river:
- Proviso.** *Provided also*, That the said Thomas G. Downing and James Bannon, and their heirs and assigns, shall pay to the owner or owners of said land or lands on which the before-mentioned posts may be erected, all damages which may accrue to said owners in consequence thereof, which said damages shall be assessed by a jury of three persons, appointed by the court of common pleas of said county of Venango; and their report and proceedings shall be the same in every respect as in the case of opening roads under existing laws: *Provided also*, That nothing herein contained shall be so construed as to prevent, at any time, the erection of a bridge over said river at or near said ferry.
- Proviso.** SECTION 2. That the said Thomas G. Downing and James Bannon, and their heirs and assigns, shall keep good and substantial boats and flats, and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting travelers and others across the said river; and on the failure thereof, unless prevented by some unavoidable occurrence, he or they shall forfeit and pay a fine of five dollars, besides the actual damage done to any person who shall suffer detention therefrom, and shall sue for the same, within six months thereafter, before any justice of the peace within the said county of Venango.
- To be kept in good order, &c.**
- Penalty for neglect of duty.** SECTION 3. That the said Thomas G. Downing and James Bannon, and their heirs and assigns, for keeping and maintaining the said landings and ferry, as aforesaid, shall receive a compensation from persons passing over said river, at such ferry, at the following rates, to wit: For each foot person, five cents; for each person and horse, ten cents; for each one horse carriage, eighteen cents; for each two horse carriage or wagon, twenty-five cents; for each four horse wagon, thirty-seven cents; for each additional horse, five cents; for each head of horned or neat cattle, led or driven, three cents; for each head of sheep or swine, led or driven, one cent; for each yoke of oxen, ten cents.
- Tolls.** SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any chain, wire, boat, or other property, or shall take from its moorings any boat or craft belonging to said ferry, he, she or they, so offending, shall pay to the said Thomas G. Downing and James Bannon, their heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Thomas G. Downing and James Bannon, and their heirs and assigns, to be recovered as debts of like amount are recoverable.
- Penalty for injuries to boats, &c.**
- Rate of ferriage, how reduced or raised.** SECTION 5. That at any time, when twenty or more citizens shall petition the court of quarter sessions in the county of Venango, setting forth that they have just reason to believe that the rates of ferriage are too high and ought to be reduced, or too low and ought to be raised, it shall be the duty of said court to lay the same before the grand jury of the said county, who are hereby authorized and required to hear the parties, and if, in the opinion of a majority of them, the rates are too

high or too low, they shall reduce or raise the same, in proportion as they may deem equitable and just: *Provided also*, That *Proviso.* the aforesaid ferry shall be subject to such other rules and regulations, as the court of quarter sessions of said county of Venango may direct.

SECTION 6. That all other persons are hereby prohibited from *Prohibition.* using the said river for the purpose of a ferry, within one-half of a mile above said ferry, and within one-half of a mile below said ferry; and any person or persons violating the provisions of this act, shall forfeit and pay to the said Thomas G. Downing and James Bannon, their heirs and assigns, the sum of one dollar for each and every traveler, team, head of cattle, horse or carriage carried over the said river, within the above named bounds; and that all acts of assembly, or parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 342.

A SUPPLEMENT

To an act, approved the first May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act relating to Allegheny county."

WHEREAS, By a clerical or other omission, the meaning of *Preamble.* the twenty-fourth section of said act is rendered obscure; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said section shall be construed to mean that the lien for taxes thereby created shall remain a lien on the property assessed until fully paid, and shall be first paid out of the proceeds of any judicial sale of the premises assessed; but the lien of a mortgage which, by the provisions of the act of April sixth, one thousand eight hundred and thirty, and its supplements, would not be divested by a judicial sale, shall not, by reason of the existence of said lien for taxes, be divested by any judicial sale, except when the sale shall be made by virtue of a writ for the collection of said taxes.

Construction of a certain section relative to liens for taxes.

Commissioners to certify to prothonotary unpaid taxes for years prior to 1861.

SECTION 2. The commissioners of said county shall, on or before the first day of May, one thousand eight hundred and sixty-two, deliver to the prothonotary of the court of common pleas of said county, a certified statement of all taxes assessed on real estate for years prior to one thousand eight hundred and sixty-one, which shall have been returned to them as unpaid; said certificate shall be in the same form, as that required from the controller by the twenty-fourth section of the act to which this is a supplement, and shall have the same effect and be proceeded on for the collection of said taxes in the same manner, as is provided in the twenty-fourth and twenty-fifth sections of said act and the first section of this act.

Mode of collecting the same.

Certain taxes remaining unpaid at the end of each year to be embraced in said certificate.

SECTION 3. Whenever any school, poor, road, city or borough taxes assessed on any real estate, as aforesaid, shall remain unpaid at the end of the year for which the same were assessed and the proper authorities charged with the collection thereof, shall, within thirty days thereafter, file, for taxes of years prior to one thousand eight hundred and sixty-one, with the commissioners, a certified schedule thereof, in such form as said controllers shall direct, said taxes shall be embraced in the certificate delivered to the prothonotary, and shall remain a lien with the same effect as the other taxes embraced therein, and shall be included in the processes issued for the collection of other taxes, as provided for in this act and the act to which this is a supplement: *Provided*, That the certified schedules of such taxes for the year one thousand eight hundred and sixty-one, and previous years, may be filed with the controller or commissioners at any time within thirty days after the passage of this act, and the same shall thereupon be embraced in or added to the certificate delivered to the prothonotary by the commissioners and controller, and a copy of the writ of *scire facias*, authorized by the twenty-fifth section of the act to which this is a supplement, shall in all cases be posted on the premises described therein.

Effect of.

Proviso.

Compensation of late county auditors, repeal of.

SECTION 4. That so much of the nineteenth section of the act to which this is a supplement, as authorizes the commissioners to allow to the late county auditors compensation after the first day of January, one thousand eight hundred and sixty-two, be and the same is hereby repealed.

Controller to countersign and register all county bonds, &c.

SECTION 5. That no bond, certificate of loan, or other evidence of indebtedness by said county, shall hereafter be issued or have any validity, unless the same shall have been countersigned and registered by the controller.

Building or repairing bridges, relative to.

SECTION 6. That no proposals for building or repairing bridges shall be advertised for by the controller until one of the county commissioners shall have certified to him, in writing, that on a personal inspection of the locality, he believes the work necessary, and also the probable cost of the same.

Compensation of physician for holding post mortem examinations, &c.

SECTION 7. That the compensation to a physician or surgeon for holding a *post mortem* examination, shall not exceed the sum of ten dollars; nor shall the services of more than one physician or surgeon be paid for by the county, in any case, unless on a certificate of one of the law judges of the court of oyer and terminer, that such additional services were necessary for the ends of public justice.

SECTION 8. That the compensation paid by said county to the criers or tipstaves of any court held therein, shall not exceed the sum of one dollar per day for each crier or tipstaff actually employed.

Compensation of criers and tipstaves.

SECTION 9. That the controller's estimate of annual expenditure, under the sixth section of the act of May first, one thousand eight hundred and sixty-one, when approved by the commissioners, shall be classified in detail, under the heads of appropriation for the several departments of the county; and after the commissioners have fixed such rate of taxation upon the taxable property of said county, as will raise a sum sufficient to meet said expenditure, then the said estimated amounts shall remain and stand as appropriations, numbered regularly for each of said departments; and no transfer from one appropriation to another shall be made, unless in case of absolute necessity, and by the consent of the controllers and commissioners, in writing, filed as a record.

Controller's estimate to be classified for several departments.

Appropriations.

SECTION 10. That the commissioners of said county, after the passage of this act, and in the month of January annually thereafter, shall designate three newspapers published therein, one of which shall be in the German language, in which all advertising for county purposes shall be done, at customary rates; and any law heretofore passed requiring any such advertising to be done in any paper published north of the Allegheny river, in said county, is hereby repealed; the commissioners shall record such selection in their minutes, and also notify the controller, in writing, thereof.

Commissioners to select newspapers for county advertising.

Repeal.

SECTION 11. That the commissioners and sheriff of said county, within thirty days after the passage of this act, and in the month of January annually thereafter, shall appoint a competent medical practitioner as physician to the county jail, who shall also supply the requisite medicines for the prisoners, and for such service and medicines shall receive six hundred dollars annually, payable quarterly; and for dereliction of duty, or inattention, may at any time be removed and another be chosen in his stead.

Commissioners and sheriff to appoint physician for county jail.

Compensation.

SECTION 12. That the controller, in the month of January, one thousand eight hundred and sixty-four, and in January of each succeeding year, shall publish, notice and invite sealed proposals, to be opened as in other cases, for supplying the prisoners in the county jail with bread and other necessaries, the quantity and quality of such supplies to be at all times subject to the approval of the sheriff and jailer of said county, the payment for said supplies to be monthly or quarterly, as regulated by the contract, and to be made by warrants, in the usual form, on the county treasury; any law now requiring the sheriff of said county to furnish said supplies, or authorizing him to receive compensation therefor, be and the same is hereby repealed.

Contracts for furnishing supplies for jail authorized.

Payment.

Repeal.

SECTION 13. That the commissioners and controller of said county shall, in the month of March of each year, elect an engineer to the jail and janitor of the court house, to hold office for one year from the first of April succeeding, and in case of any vacancy, to fill for the unexpired term.

Election of engineer to jail and janitor for court house.

Compensation of
collectors of re-
lief taxes.

SECTION 14. That the controller is hereby authorized to allow to the district collectors of the relief tax, of one thousand eight hundred and sixty-one, the usual five per cent. on the amount collected by them.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 343.

A N A C T

Extending the time for the payment of the Enrolment Tax on certain acts of incorporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That that the time allowed by law for the payment of the enrolment tax on an act to incorporate the Harrisbury City Passenger railway company, and an act to incorporate the Dimes saving institution of Harrisburg, and an act to incorporate the Chester County savings institution, be extended until April first, one thousand eight hundred and sixty-three.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 344.

A N A C T

To provide for payment of the Floating and Funded Debt of the borough
of Wilkesbarre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Wilkesbarre, be and they are hereby authorized, for the purpose of paying or funding the floating indebtedness of said borough, to issue the bonds of the said borough from time to time, and in such sums, and payable at or before such periods, as to them may seem expedient: *Provided,* That no bond shall be issued for a less sum than fifty dollars, or bearing a greater rate of interest than six per centum per annum, or payable at a later period than twenty years from the date thereof; nor shall the aggregate amount of bonds issued by virtue of this act, exceed the sum of ten thousand dollars.

Burgess and town council authorized to issue bonds.

Provide.

SECTION 2. That for the purpose of paying and retiring the funded debt of said borough, as well that already existing, as that which may be created by virtue of the first section of this act, the said burgess and town council be and they are hereby authorized to levy, annually, a special tax, not exceeding ten mills on the dollar, upon all property legally subject to taxation for borough purposes.

May levy a special tax.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 345.

A FURTHER SUPPLEMENT

To the act to incorporate the borough of Edinboro', in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Election of councilmen.	hereafter the qualified electors of the borough of Edinboro' shall, in the usual manner, and at the time of electing other borough officers, elect six qualified electors, to serve as town council, to wit: Two to serve one year, two to serve two years, and two to serve three years, and in each year thereafter two to serve for three years; and in case a vacancy shall occur from death or otherwise, it shall be filled by appointment of the burgess and council, until the next election, when such vacancy shall be filled by an election.
Classification.	
Vacancies.	
Taxation.	SECTION 2. That the burgess and town council shall have power to levy and collect, for borough purposes, any amount of tax they may deem necessary in each year, not exceeding ten mills on the dollar of the assessed valuation of the taxable property in said borough for county rates and levies; and for the purpose of procuring a copy of the last adjusted valuation, it shall be lawful for the town clerk to copy the same from the duplicate furnished either to the school directors, or the collector of county taxes, by the commissioners of Erie county.
No action of council valid unless sustained by a majority.	SECTION 3. That no action of the burgess and town council shall be valid, except the same shall have been sustained by a majority of all the members; and in all cases the names of the members voting both in the affirmative and negative, shall be so entered on the record, by yeas and nays, by the clerk: <i>Provided</i> , That less than a majority may adjourn.
Provide.	
Repeal.	SECTION 4. That all laws inconsistent with this act be and the same are hereby repealed, so far as the same relates to the borough of Edinboro'.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 346.

A N A C T

To authorize the Stockholders of the Mansfield Iron Works, in the county of Tioga, to hold an election.

WHEREAS, The stockholders of the Mansfield iron works, a company incorporated under the provisions of the general manufacturing law of the commonwealth, of the first of April, one thousand eight hundred and forty-nine, and its supplements, have failed to elect officers of said company, at the time fixed

by the by-laws of the company for that purpose, or within sixty days thereafter; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an election of officers of said company, by its stockholders, may be held at any time within sixty days after the passage of this act, on such day as the acting president, or any two of the directors of the company, may appoint, at the usual place of holding such elections, and on two weeks' previous notice thereof, published in two newspapers in the county of Tioga; which election shall be as valid, to all intents and purposes, as if it had been held at the time fixed by the by-laws of the company; and that the officers, elected under the provisions of this act, shall be and continue the officers of said company until their successors shall be duly elected and qualified.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 347.

AN ACT

Establishing the Peach Bottom Ferries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That two public ferries, to be known as the Peach Bottom ferries, ^{Ferries authorized.} are hereby established across the Susquehanna river, from the upper corner of lands of Mary Jane Boyd, wife of S. W. P. Boyd, on the eastern side of said river, in Lancaster county, to a point on the western side of the river, where the York and Peach Bottom road intersects the same, in York county; the said ferry privileges shall extend on the eastern side of said river, three-fourths of a mile above the line of lands of Mary Jane Boyd; and down the river to the lower corner of the line of lands owned by S. W. P. Boyd, known as the Stubb's farm, on said river; and on the western side of said river, three-fourths of a mile above and one mile below the point of intersection of the Peach Bottom and York road with said river.

To be kept in
good order.

Tolls.

Ferries, how to
be divided.

Subject to.

Prohibition.

SECTION 2. That S. W. P. Boyd and William M'Conkey, their heirs and assigns, shall own, establish, and have exclusive right to use the said ferries, and keep the same in good order and repair, and furnish all needful facilities for crossing said river, and receive as tolls such amounts as are customary and by law allowed; said ferries to be known as the upper and lower ferries, to be divided by a straight line across said river, drawn from the upper corner of line of land of Mary Jane Boyd, to the York or western shore; said M'Conkey shall own, establish, and have the exclusive use of the upper, and S. W. P. Boyd shall own, establish, and have the exclusive use of the lower ferry; the said several owners to subject to all general laws of this commonwealth regulating ferries.

SECTION 3. That all persons are hereby prohibited from using the said river for the purposes of a ferry, within the limits allowed said Boyd and M'Conkey in the first section described.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 34S.

AN ACT

Relating to the payment of the expenses of laying out Public Roads in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso of the first section of the act of assembly, entitled "An Act relating to road laws in Chester and Lancaster counties," approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven, and the act of assembly, entitled "An Act relative to the payment of surveyors in laying out roads in this commonwealth," approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby repealed, so far as relates to the county of Chester.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 349.

AN ACT

To incorporate the Wissahickon, Roxborough and Plymouth Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles T. Jones, Frederick Fairthorn, M. Doginther, Henry K. Smith, S. F. Babcock, Thomas C. Darling, Reuben Hagy, J. S. Fry, Charles Creas, J. B. Moyer, Nathan L. Jones, D. O. Hitter, Michael Whartman, Charles E. Graeff, Charles Lorenze, B. Rodney King and Robert M. Carlisle, be and they are hereby appointed commissioners to receive subscriptions and organize a company, by the name, style and title of the Wissahickon, Roxborough and Plymouth railroad company, with power to construct a railroad connecting with the Norristown branch of the Philadelphia, Germantown and Norristown railroad, at a suitable point between the School House lane and the late borough of Manayunk, in the Twenty-first ward of the city of Philadelphia, to Plymouth, in the county of Montgomery; the said railroad to be constructed as near Ridge avenue as shall prove practicable for the interests of the said company and the convenience of the citizens residing on said avenue, with the right to connect with the Norristown branch of the Philadelphia, Germantown and Norristown railroad.

Commissioners.

Title.

Route and connections.

SECTION 2. That the capital stock of said company shall be one hundred thousand dollars, divided into shares of twenty-five dollars each, with privileges to increase the same from time to time, to an amount sufficient to complete their road, and provide the same with all necessary cars, locomotives, machinery, depots, water stations, et cetera; and that it may be lawful for any railroad company within this commonwealth to subscribe to the capital stock of the said Wissahickon, Roxborough and Plymouth railroad company, to an amount not exceeding one-third of the said capital stock.

Capital stock.

Other companies authorized to subscribe.

SECTION 3. That the directors of said company are hereby authorized to pay, to the stockholders entitled to receive the same, interest, at the rate of six per centum per annum, on all instalments paid by them, until the work is completed and in operation, which interest shall be charged to the cost of the road; and the stock of said company shall not be subject to any tax until the said company shall declare dividends, at which time they shall be subject to the general laws taxing dividends: *Provided*, The legislature reserves the right to tax said company, or its profits, whenever the public interest shall require it.

Payment of interest on instalments to stockholders.

Stock not subject to taxation.

Provided.

SECTION 4. That the directors of the said company may borrow money to an amount not exceeding their capital stock, and issue their bonds therefor, either with or without coupons, in sums not less than one hundred dollars each, and secure the

May borrow money and issue bonds.

Mortgage.

Proviso.

Subject to.

When to commence and complete road.

May put in operation part of road

payment of the principal and interest of said bonds by a mortgage or mortgages upon the road, property and franchises of the said company, and the said company may make the said bonds convertible into stock at par, if such course shall be deemed advantageous to said company: *Provided*, That the declaratory act, passed the twenty-fifth day of February, one thousand eight hundred and fifty-six, respecting the interest on loan certificates issued by any railroad or canal company, together with the eleventh section of the act of July twenty-sixth, one thousand eight hundred and forty-two, referred to therein, shall extend and be applied to the certificates issued under the present act.

SECTION 5. That the said company shall be entitled to all the privileges and subject to all the restrictions imposed by an act, entitled "An Act regulating railroads," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as otherwise provided in this act.

SECTION 6. That if the said company shall not commence their road within three years, or complete a portion of the same within six years, from and after the passage of this act, then the same shall be null and void, except so far as the same shall be necessary to settle up the affairs and pay the debts of said company.

SECTION 7. That the said company shall have the privilege, if they shall deem best for the true interest of the stockholders, to finish and put in operation any portion of the said railroad, and furnish the same with all necessary rolling stock, depots, water stations, et cetera.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 350.

AN ACT

To incorporate the Chester County Military Academy, near West Chester, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

there be and hereby is erected and established near West Chester, ^{Military academy established.} in the county of Chester, an academy, to consist of a primary school, a college, and such other appropriate departments as the patrons and managers of said academy shall find themselves able to maintain, by the name, style and title of the Chester ^{Name.} County Military academy, under the care and direction of a number of trustees, not exceeding twenty, five or more of whom shall constitute a quorum, who, and their successors in office, shall be and are hereby declared to be one body politic and ^{Incorporation.} corporate, in deed and in law, by the name, style and title of the Chester County Military academy, and by the same name shall have perpetual succession, and shall be able to sue and be ^{Privileges.} sued, plead and be impleaded in all courts of law and equity, and shall be capable in law and equity to take, hold and purchase, for the use of said academy, lands, goods, chattels, moneys of any kind whatsoever, by gift, grant, conveyance, demise or bequest, from any person or persons whomsoever, capable of making the same, and the same from time to time sell, convey, mortgage or dispose of, for the use of said academy, and to erect such buildings as may be necessary, providing the amount does not exceed fifty thousand dollars, and generally to do all and singular the matters and things which may be lawful for them to do for the well being of the academy, and the due management and ordering the affairs thereof.

SECTION 2. That the trustees of said academy shall consist of ^{Trustees.} the following persons, to wit: William Apple, W. B. Waddell, W. E. Barber, Daniel B. Hinman, Oswald Thomson, Joseph B. Townsend, Richard Newton, James L. Claghorn, James H. Orne, Benjamin W. Wallace, James Pollock, Chas. B. Dungan, Charles O'Neill, George P. Russell, William L. Springs, George S. Farrell, Theodore Hyatt, who shall elect a president, vice ^{Officers.} president, secretary and treasurer of their own body, and may from time to time fill vacancies caused by death, resignation, removal or otherwise.

SECTION 3. That the said trustees and their successors shall ^{Seal.} and may have a common seal, to serve and use for all causes, matters and affairs of theirs and their successors, and the same may alter or make anew as they may think fit.

SECTION 4. That there shall be a meeting of said trustees ^{Annual and special meetings.} held at the said academy, annually, and at such other time and place as they shall appoint, to consult, advise and act, on and about the affairs and business of said academy; the officers of said board may call special meetings thereof, by giving written notice at least seven days previous to the time of said meeting, and at every meeting of said board they may legally transact any business proper for said board; and if the president shall not attend such meeting, the vice president shall preside, and in the absence of both, the board may appoint a president *pro tempore*; and the said trustees shall have power to appoint a president and vice president and other professors and instructors of said academy, and all such other officers and assistants as they shall find necessary for the good management of said academy, and have power to remove them at discretion.

SECTION 5. That the trustees aforesaid shall have and exercise ^{Powers of trustees.} the government of said academy, together with the care

- and management of all matters and affairs belonging thereto, and shall have power to make and establish all such reasonable and proper laws, rules and regulations as may be necessary for the government, instruction and education of the cadets, and the management of the said academy, and the same may repeal and alter, from time to time, as they may see fit: *Provided*, That the same be not contrary to the constitution and laws of this state, or of the United States.
- Proviso.**
- Course of studies.** SECTION 6. That the said board of trustees shall be required to furnish at said academy, constantly, a course of military instruction, both theoretical and practical, also civil and military engineering, and the practical sciences generally, together with instruction in the Latin, Greek, French and German languages; and the president of said board, with the consent of the trustees, shall have power to give and confer all such diplomas, degrees, honors or licenses, as are usually given or conferred in colleges or universities, at their discretion: *Provided*, That in so doing they shall have respect to the morals and merits of the candidates alone.
- Diplomas, degrees, &c.**
- Proviso.**
- Governor to furnish arms and equipage, &c.** SECTION 7. That the governor shall have power to furnish to said academy arms for infantry, artillery and cavalry drill, together with tents and other camp equipage, upon sufficient security being given for their safe keeping and return to the commonwealth, when demanded.
- Instructors and cadets exempted from military taxes.** SECTION 8. That the professors, instructors or assistants, and cadets, shall, while connected with the academy, be exempted from all other military taxes and duties, except such as are prescribed by the laws, rules and regulations of said academy.
- First meeting of trustees.** SECTION 9. That the first meeting of said trustees shall be within three months after the passage of this act, at such time and place in West Chester, as shall be fixed by at least five thereof, of which meeting at least two weeks' notice shall be given by public advertisement in two of the newspapers printed in West Chester; if at such or any subsequent meeting five of the said trustees shall not be present, then those who are present shall have power to adjourn to any other day, of which they shall give like notice as hereinbefore specified, but when five or more of said trustees shall meet at any time and place so appointed and fixed, they shall be capable of organizing and electing officers to serve until the next annual meeting, or until others shall be duly elected or appointed, and generally of doing and transacting all other business, matters and things appertaining to said academy.
- Notice.**
- Organisation.**
- Reservation.** SECTION 10. That the legislature reserves the right to alter or annul this charter, in case of any abuse of the privileges hereby granted.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 351.

AN ACT

In relation to the appointment of Collectors of State and County Tax in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of the act, passed the first day of February, one thousand eight hundred and fifty-six, entitled "An Act in relation to the appointment of collectors of state and county taxes," is hereby repealed, so far as the same is applicable to the county of Luzerne. Repeal of certain section.

SECTION 2. That the seventeenth section of the act, passed the fifteenth day of April, one thousand eight hundred and thirty-four, entitled "An Act in relation to county rates and levies, and township rates and levies," shall be so construed, so far as it relates to the said county of Luzerne, that the commissioners of the said county shall be required to appoint as collector of state and county rates and levies, for the several wards, townships and districts of said county, one of the citizens whose names have been returned to the said commissioners by the assessors of the said wards, townships or districts, if either one of the citizens, so returned, shall be qualified and eligible for the said appointment, whether the other citizen, so returned, shall or shall not die or be or become otherwise unqualified for said appointment: *Provided,* That any person so returned and appointed shall give bond, in such amount, and with such security as shall be approved by said commissioners: *And provided further,* That in case such persons, so returned and appointed, shall neglect or refuse to give the proper security, then said commissioners may appoint some other person who will give the requisite security. Commissioners required to appoint as tax collector one of the persons returned by assessors for each ward, &c.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 352.

AN ACT

To authorize the School Directors of Milesburg School District, Centre county, to borrow money.

School directors authorized to borrow money. **Purpose of.** **Security.** **Proviso.** **Loan exempted from taxation.** **May increase special school tax.** **Proviso.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the common schools of Milesburg school district, in the county of Centre, for the time being, or their successors in office, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding sixteen hundred dollars, at any rate of interest not exceeding six per centum per annum, for the purpose of paying off the indebtedness incurred in building a school house for said district; and it shall and may be lawful for said school directors to secure the money so borrowed, by bond or bonds, with mortgage or mortgages on the real estate belonging to said school district, or otherwise, as said directors may direct: *Provided,* That no certificate of loan or bond shall be issued for a less sum than one hundred dollars.

SECTION 2. That any loan, which may be made in pursuance of this act, shall be exempted from taxation; and the said school directors are hereby empowered to provide for the gradual liquidation of said loan, by increasing, if necessary, the special school tax for building purposes within said school district, above the rate fixed by existing laws: *Provided,* The same shall not exceed ten mills on the dollar annually.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 353.

AN ACT

To incorporate the Divinity School of the Protestant Episcopal church in Philadelphia.

WHEREAS, A divinity school has been established in the city of Philadelphia, under the auspices of members of the Protestant Episcopal church:

And whereas, In the judgment of the founders, a charter of incorporation is necessary for the more convenient management of the concerns of said school; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the right reverend Alonzo Potter, bishop, and the right reverend William Bacon Stevens, assistant bishop, of the diocese of Pennsylvania; the right reverend Alfred Lee, bishop of the diocese of Delaware; the right reverend Manton Eastburn, bishop of the diocese of Massachusetts; the right reverend George Burgess, bishop of the diocese of Maine, and the reverend William A. Muhlenberg, the reverend Thomas H. Taylor, and the reverend Alexander H. Vinton, of the diocese of New York, together with William Walsh, John C. Cresson, Charles E. Lex, John N. Conyngham, George J. Harrison, Alexander Brown and George W. Woodward, of the state of Pennsylvania, and such other persons as now are, or hereafter may be, trustees and overseers of said school, whether resident in Pennsylvania or in any other state of the United States, be and they are hereby constituted a body corporate and politic, in fact and law, by the name of the Divinity school of the Protestant Episcopal church in Philadelphia, and by that name shall be capable of perpetual succession, may sue and be sued, may have and use a common seal and alter and change the same at pleasure, and shall also be capable to accept and take by devise, grant, bargain, sale, or otherwise, any estate or property, real or personal, and the same to hold and enjoy, or to sell and convey, lease or mortgage, as fully and absolutely, in all respects, as any natural person might do: *Provided however,* That the clear annual income of the estates and properties of said corporation, exclusive of any lands or tenements, that may be occupied by said school for its accommodation, or that of its officers or professors, shall not exceed the sum of twenty thousand dollars.

SECTION 2. That the trustees and overseers already appointed, or who shall hereafter be appointed, in pursuance of the fundamental statutes which the said corporation is hereby authorized and empowered to enact, shall have the care and management of the said school, and of its estates and properties, and shall have power to make all needful by-laws and regulations for the appointment of competent professors and teachers, for the fixing and payment of all salaries, for the studies and exercises of

Proviso.

the students, and for the general well being of said school: *Provided*, That the said statutes, by-laws and regulations, shall not be inconsistent with the constitution and laws of this commonwealth, or of the United States.

Misnomer.

SECTION 3. That no misnomer or misdirection of the said corporation in any will, deed, grant, or other instrument of writing, shall vitiate or defeat the same, but that the same shall take effect in the same manner as if said corporation were rightly named therein: *Provided*, It be sufficiently described to ascertain the intention of the parties.

Proviso.

Reservation.

SECTION 4. That the legislature shall have power to revoke, alter or amend, this act of incorporation, whenever it may become injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 334.

A FURTHER SUPPLEMENT

To the act incorporating the Lawrenceville and Sharpsburg Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That if the board of managers of the Lawrenceville and Sharpsburg plank road company shall deem it expedient, in the repair of said road, or any portion or portions thereof, to make said road of stone or gravel, instead of plank, it shall be lawful for them, and they are hereby authorized so to do.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 355.

AN ACT

For the relief of James White.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of common pleas of Erie county is hereby authorized and required, on the application of James White, of Fallowfield township, in the county of Crawford, to appoint viewers to appraise the damages done to the said James White, by the construction of a spill or waste weir upon his property, and the consequent overflowing of his land, whether said damages occurred at the time of the construction of the Erie extension of the Pennsylvania canal, or since; and that all proceedings for the above purpose under this act, shall be in accordance with the provisions of the eleventh section of the act of February nineteenth, one thousand eight hundred and forty-nine, the cost of said proceedings to be paid by the party against whom the award is made; and the damages assessed by the said viewers to be paid by the Erie canal company, within three months after the confirmation of said report.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 356.

AN ACT

To attach a portion of the township of Pittston, in the county of Luzerne, to the township of Lackawanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Boundaries of the part of Pittston township attached to Lackawanna township.

all that part of the township of Pittston, in the county of Luzerne, lying on the northerly side of a line commencing at a point on the north-east corner of the property heretofore owned by Joseph P. Leclere, and in the line dividing Pittston and Ransom townships; thence, in an easterly direction, and by a straight line, to a point in the centre of the main road leading from Pittston to Providence, near the house late of Richard H. Brown, deceased, and where the same is intersected by another public road, which leads from the main road aforesaid to the public highway, or back road, leading from Pittston to the present county bridge across the Lackawanna river, at the "Old Forge;" thence, in the centre of the public road leading from the main road first aforesaid, to a point in the centre of the public highway, or back road, aforesaid, and thence, in a direct line, to the north-west corner of the township of Spring Brook, be and the same is hereby attached to and made a part of the township of Lackawanna.

Place of holding elections.

SECTION 2. That the place of holding the general and township elections for said Lackawanna township, shall be at the school house numbered four in said township.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

— — —
No. 357.

A FURTHER SUPPLEMENT

To an act, approved the seventeenth day of March, Anno Domini one thousand eight hundred and fifty-eight, relative to Claims of Thomas Morly.

Preamble.

WHEREAS, It is alleged that Thomas Morly has sustained damage to his real estate by the making of the North Branch canal, and for the proper ascertainment of the amount of said damage, if any; therefore,

Attorney general authorized to join in an amicable action.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general is hereby authorized and required to join in an amicable action, wherein the said Thomas Morly shall be plaintiff, and the commonwealth of Pennsylvania shall be

defendant, for the purpose of ascertaining the amount of damages Purpose of.
 due to the said Thomas Morly, by the making and constructing
 of the North Branch extension of the Pennsylvania canal
 through, upon, and to the property of the said Thomas Morly,
 in Wyoming county; which said action is to be tried in the
 common pleas of Dauphin county, and to have the same pre-
 ference as to trial, which is by existing laws given to cases
 of the commonwealth against defaulting public officers.

SECTION 2. That the state treasurer is hereby authorized and State treasurer
to pay damages,
if any ascer-
tained.
 required to pay to the said Thomas Morly, his heirs and assigns,
 out of any moneys in the treasury not otherwise appropriated,
 the amount of damage, if any, which shall be ascertained upon
 such trial to have been sustained by the said Thomas Morly,
 by reason of the making and construction of the North Branch
 canal, as aforesaid.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thou-
 sand eight hundred and sixty-two.

A. G. CURTIN.

No. 358.

AN ACT

Requiring the Adjutant General to audit the account of Thomas F. Gal-
 lagher, late Brigade Inspector of Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Represen-
 tatives of the Commonwealth of Pennsylvania in General Assembly
 met, and it is hereby enacted by the authority of the same,* That
 the adjutant general is hereby required to audit the account of
 Thomas F. Gallagher, late brigade inspector of Westmoreland
 county, for moneys expended by him in the rent of an armory
 for the safe keeping of arms and equipments belonging to the
 commonwealth, and that for any sum thereby found to be due
 to the said Gallagher, the said adjutant general shall issue his
 warrant in favor of said Gallagher, upon the treasurer of said
 county, to be by him paid to said Gallagher out of the military
 taxes collected in said county; and that nothing contained in
 the last proviso of the twenty-eighth section of an act, approved
 the fifteenth day of May, one thousand eight hundred and sixty-
 one, entitled "An Act to create a loan and to provide for arm-

ing the state," shall be construed to prevent the above payment as herein provided.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 359.

AN ACT

To prevent fishing with Seines and Nets in the Shenango river, in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person or persons to take, catch or kill any fish in the Shenango river, or in the Erie extension of the Pennsylvania canal, within the county of Mercer, with seines or with nets, from the first day of May to the first day of September in each and every year.

Fishing in Shenango river or Erie extension, at certain times, prohibited.

Penalty.

SECTION 2. That any person or persons violating the provisions of this act, shall forfeit and pay the sum of five dollars for every such offence, to be recovered before a justice of the peace by an action of debt, in the name of the commonwealth, and to be appropriated to the school fund of the district in which the offence shall have been committed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 360.

A SUPPLEMENT

To the act, entitled "An Act relating to the Courts of Delaware county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first section of the act of assembly of this commonwealth, entitled "An Act relative to certain courts in the city and county of Philadelphia," passed April fourteenth, Anno Domini one thousand eight hundred and forty-six, be and the same is hereby extended to the court of common pleas of Delaware county, except that the return days in all cases shall be those fixed by the act to which this is a supplement, and judgment shall be taken in the manner therein provided: And provided, That all appeals shall be filed on or before the next return day after the taking thereof, if twenty days shall have elapsed, and if not, then on or before the next return day thereafter.*

JOHN ROWE,
Speaker the of House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 361.

A SUPPLEMENT

To an act, entitled "An Act appointing Commissioners to lay out and open a State Road in the counties of Potter and M'Kean" approved on the eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time mentioned in the first section of the act to which this is supplementary, be extended to twelve years instead of seven: Time extended. Provided, That said time shall be necessary to raise a sufficient amount of funds to complete said state road. Proviso.*

Commissioners
may bring suits
for recovery of
appropriation by
townships.

SECTION 2. That the commissioners of said state road are hereby authorized to bring suits in debt or *assumpsit* against any township or townships through which said state road passes, to recover, for the use of said state road, any sum or sums of money, that may have been appropriated by any township or townships, properly belonging, by the terms of the act to which this is a supplement, or by the terms of any supplementary act heretofore passed, to the said state road.

Certain assess-
ment of damages
made valid.

SECTION 3. That the assessment of damages sustained by persons owning lands through which said state road passes, made by Chancy Moore and A. F. Jones, under the provisions of an act, entitled "A supplement to an act appointing commissioners to lay out and open a state road in the counties of Potter and M'Kean," approved on the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one, shall be deemed as good and valid in law, to all intents and purposes, as though the other commissioners mentioned in said act had participated in the assessment of said damages and signed the report thereof.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 362.

SUPPLEMENT

To an act, passed the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to divide the borough of Williamsport into three wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the officers of the borough of Williamsport, to be appointed by the burgess and town council of said borough, shall hold their respective offices until the first Monday of June in each and every year, and until their successors be appointed; and the said officers now appointed, shall hold their respective offices until the first Monday of June, Anno Domini one thousand eight hundred and sixty-two; and the said burgess and council, by a majority present at any meeting of councils, may

discharge any of said officers, and appoint a person to fill the unexpired term so made vacant.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 363.

A N A C T

Fixing the time of holding courts in the Fourth Judicial District of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of August next, the regular terms of the courts in the fourth judicial district of this commonwealth, shall commence as follows: In the county of Tioga, on the last Mondays in January, May, August and November; in the county of Potter, on the third Mondays of February, June, September and December; in the county of M'Kean, on the Mondays next succeeding the courts in Potter county; in the county of Elk, on the Mondays next succeeding the courts in M'Kean county, and in the county of Cameron, on the Mondays next succeeding the courts in Elk county; each term of said courts in the county of Tioga to continue two weeks, and in each of the other counties in said district, one week.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 364.

AN ACT

Relative to the Claim of Lewis S. Corryell, of Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized and required to examine the claims of Lewis S. Corryell, of Bucks county, for rent of dwelling house and office, occupied by the collector of tolls on the Delaware division of the Pennsylvania canal, during the years one thousand eight hundred and fifty-two, three, four, five, six and seven, and report the amount they may find due the said Lewis S. Corryell to the next session of the legislature.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 365.

AN ACT

To prevent hunting Deer with Dogs in the county of Cameron.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, if any person or persons in the county of Cameron shall hunt, chase or pursue with any dog or dogs, with design to kill or destroy any buck, doe or fawn within said county of Cameron, at any season of the year, or shall entice any dog or dogs to chase as aforesaid, with like design, he or they on being convicted thereof, shall forfeit and pay for every such offence a sum not exceeding twenty-five dollars, nor less than fifteen dollars, to be sued for and recovered with costs before any justice of the peace, in the name of the commonwealth, at the instance of any person who will sue therefor,

who is hereby made a competent witness, as debts of like amount are now recoverable by law; the whole of said penalty or fine shall be paid to the treasurer of the school district in which the offence has been committed, for the use of the common schools of said district: *Provided*, That this act shall not be so construed as to prohibit the hunting or catching with dogs of deer, that have been previously wounded.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 366.

AN ACT

To repeal an act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," so far as the same relates to the townships of Hubley and East Brunswick, in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," be and the same is hereby repealed, so far as the same relates to the townships of Hubley and East Brunswick, in said county of Schuylkill, and that the law as existing prior to the passage of the act hereby repealed, as aforesaid, be and the same is hereby revived in said townships.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 367.

AN ACT

To change the time of holding the several Courts of the counties of Beaver and Erie.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That

Time of holding
March and No-
vember terms of
courts, in Beaver
county, changed.

hereafter the March and November terms of the several courts of the county of Beaver, shall commence and be held on the first Monday of March and second Monday of November, in each year, and continue two weeks, if necessary.

Additional law
judge, in Sixth
district, not to
hold court in
June, in Erie
county.

SECTION 2. That so much of the second section of the act of April seventeenth, eighteen hundred and fifty-six, providing for the election of an additional law judge in the sixth judicial district, as provides for a term of the court constituted by said act to commence on the second Monday in June, in each year, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 368.

AN ACT

To authorize the erection of a Poor House by the borough of Dunmore, borough of Scranton and township of Providence, in the county of Luzerne.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That

Commissioners.

Edward Spencer, of the borough of Dunmore, Joseph Slocum and David K. Kresler, of the borough of Scranton, and Henry Griffin, of the township of Providence, in Luzerne county, be and they are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon after the passing of this act as practicable, to determine upon, and with the assent of the court

Their powers and
duties.

of quarter sessions of said county, purchase such real estate as may be necessary and proper for the accommodation of the poor of the borough of Dunmore, and the borough of Scranton, and the township of Providence, aforesaid; and it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act, and upon the receipt of such conveyance, to execute, in the name of said corporation, and deliver to the vendor or vendors, bonds or mortgage upon said real estate, to secure the payment of so much of the purchase money thereof as shall then remain unpaid, and also to erect thereon suitable buildings for the accommodation and keeping of the poor of said boroughs and township; and they are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding ten thousand dollars, at a rate of interest not exceeding seven per centum, to be used in the payment of the expense of purchasing said real estate and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

Authorized to
borrow money.

SECTION 2. That the said Edward Spencer, Joseph Slocum, David K. Kresler and Henry Griffin, are hereby constituted directors of the poor in the boroughs and township aforesaid, until successors are elected or appointed, and qualified as hereinafter provided; and they and their successors in office are hereby created a body politic and corporate in law, to all intents and purposes whatever, relative to the poor of said boroughs and township, and shall have perpetual succession, by the name, style and title of the directors of the poor of Providence, and by that name may be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars; to erect and keep in proper condition suitable buildings for the reception, use, accommodation and employment of the poor of said boroughs and township, and to provide all things necessary for the lodging, maintenance and employment of the poor of said boroughs and township.

Commissioners
constituted di-
rectors of the
poor.

Incorporation

Title.
Privileges as di-
rectors.

SECTION 3. That the said Edward Spencer, Joseph Slocum, David K. Kresler and Henry Griffin, shall continue in office, as directors, until the annual March election, in the year one thousand eight hundred and sixty-five, at which time the qualified electors of the township of Providence shall elect one person to serve as director of the poor of said boroughs and township for the term or period of three years, the said Edward Spencer, the said Joseph Slocum and David K. Kresler, holding over until the usual spring election for borough officers in the borough of Scranton, in the year one thousand eight hundred and sixty-six, at which time the qualified electors of each of the wards of the said borough of Scranton shall elect one person to serve as director of the poor of said boroughs and township, for the term or period of three years; and for the purpose of ascertaining the result of said election, it shall be the duty of the judges of election in the several wards of said borough, to meet at the office of the Wyoming House, in said borough, on the day next succeeding the day of said election, and to count up the votes

Election of direc-
tors, when and
how held.

polled to the several wards for the respective candidates for the office of director of the poor aforesaid; and such candidate as shall have received the highest number of legal votes in his ward, shall be declared elected, and the said judges shall thereupon certify his election accordingly, as well to him as to the board of directors of the poor of said boroughs and township; and in case of a tie vote between the candidates for the said office, in either of the said wards, the burgess shall put the names of the candidates thus having received an equal number of votes for the said office, respectively, into a suitable box or drawer, and after having fairly shaken them together, shall draw therefrom the paper containing the name of one of the said candidates, and such person, whose name has been thus drawn, shall be declared elected to the office aforesaid; and the said judge, in whose presence the said drawing shall always take place, shall certify, together with the burgess, the election of said director, as well to himself, as to the board of directors of the poor of said boroughs and township; the said Edward Spencer holding over until the usual spring election for borough officers, in the borough of Dunmore, in the year one thousand eight hundred and sixty-seven; at which time the qualified electors of the borough of Dunmore shall elect one person to serve as director of the poor for said boroughs and township, for the term or period of three years; and in case of a tie vote between any candidates for the said office, the same proceedings shall be had as provided herein, relative to such an occurrence in the borough of Scranton; and in case of a vacancy occurring in the board of directors of the poor of said boroughs and township, by death, resignation or otherwise, it shall be the duty of the judges of the court of quarter sessions of the county of Luzerne, to appoint a suitable person to fill such vacancy, for the unexpired term of the director causing the same; and at the usual annual March election, every three years after the election in March, in the year one thousand eight hundred and sixty-five, the qualified electors of the township of Providence shall elect one person to serve as director of the poor of said boroughs and township, for the term or period of three years, next ensuing, and the same shall be the case with the borough of Scranton, and the borough of Dunmore, every three years after the usual spring elections for borough officers in said boroughs, in the years one thousand eight hundred and sixty-six, and one thousand eight hundred and sixty-seven, respectively: *Provided*, That the person appointed to fill any vacancy shall reside in the borough or township for which said vacancy shall be filled: *And provided further*, That the judges of the court of quarter sessions of Luzerne county, shall have power to remove any director for gross neglect of duty, or other misconduct, upon the petition of twenty or more of the electors of the said boroughs, or township, respectively, on hearing of the complaint, after reasonable notice to the director complained of.

Vacancies to be filled by court.

Power.

Court may remove directors, upon petition.

To be sworn.

SECTION 4. That the said directors shall, before entering upon the duties of their office, respectively, be duly sworn or affirmed, to faithfully discharge the duties of said office; and the persons herein appointed directors, shall, as soon as they shall think

proper, after the passing of this act, appoint a treasurer, steward or superintendent, collector of poor taxes, and such other assistants as they shall deem necessary, who shall serve until successors are appointed; and in the month of January, in the year one thousand eight hundred and sixty-three, and in the month of January in each year thereafter, the said directors shall appoint a treasurer, collector, steward or superintendent, physician, and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified; the said treasurer and collectors to give bonds with sufficient security, to be approved by the president judge of the court of common pleas of said county, and filed in the office of the prothonotary of said court, conditioned for the faithful performance of their respective duties, in such sum as the directors shall require; any of said officers or assistants may be removed by said directors for neglect of duty, or for improper conduct in office, and the vacancies, as well as all vacancies which shall otherwise occur, shall be filled by them.

Appointment of treasurer, steward, tax collector, &c.

Treasurer and collectors to give bonds.

Removals, &c.

SECTION 5. That the said directors, a majority of whom shall constitute a quorum for the transaction of business, shall have power, annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate of assessment upon all real and personal estate, trades and occupations, and all other matters and things made taxable under existing laws for state and county purposes, in the boroughs and township aforesaid, for defraying the expenses of purchasing the real estate, as referred to in the first section of this act, erecting said buildings, and of stocking and fitting up the property of the corporation, for the proper comfort and employment of the poor of said boroughs and township, which shall be the same rate per centum in said boroughs and township, and shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies; and having caused fair duplicates of such rate or assessment, by them laid, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive and collect from every person therein named the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are now by law collectable; and the said directors shall, from the time of providing by them of suitable buildings for the accommodating of said poor, exercise and perform all the powers and duties which overseers of the poor may and are now required by law to exercise and perform within said boroughs and township, except so far as such acts, duties and powers as are herein expressly prescribed or limited.

Authorized to levy tax to pay for real estate purchased, erection of buildings, &c.

Rate.

Mode of collection.

When directors to act as overseers of the poor.

SECTION 6. That the said directors shall keep, or cause to be kept a book or books, in which shall be entered the name or names, the age and sex, and place of nativity of all and every poor person coming from either of the boroughs or township aforesaid, to whom they shall give relief in the poor house aforesaid; and they shall keep, or cause to be kept, a just and true account of the cost and expense of maintaining the poor admitted into the said poor house, or relieved by the said directors, from each of the said boroughs and the said township, respec-

Record of names, age, &c., of inmates, and accounts of expenses to be kept.

- Tax for maintenance of poor to be levied.** tively ; and the said directors, or a majority of them shall have power, annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate or assessment upon the real and personal estate, trades and occupations, and all other matters and things made taxable under existing laws for state and county purposes, within the boroughs respectively, aforesaid, and within the township aforesaid, for defraying the expenses of maintaining the poor coming from the boroughs respectively, as aforesaid, and from the township aforesaid, which rate shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies, and shall not, together with the rate for which provision has been made in the preceding section of this act, exceed one cent on the dollar at one time ; and having caused fair duplicates of such rate or assessment by them laid on the property aforesaid, in each of the said boroughs and township to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive and collect from every person therein named, the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are by existing laws collectable ; the true intent and meaning of this section being that the borough of Dunmore, and the borough of Scranton, and the township of Providence, shall each pay the expenses of maintaining the poor at the poor house aforesaid, who are received and maintained there from each of the said districts, respectively ; and a rate or assessment shall be levied as herein provided for that purpose, upon each of the said districts in the proportion accordingly.
- Limitation of rate.**
- How to be collected.**
- Assessment upon each district to be proportionate to share of cost of maintenance.**
- Exonerations.** SECTION 7. That the said directors shall have the exclusive power to grant exonerations for taxes levied in pursuance of this act.
- Books showing amount of tax levied, collected, &c., to be kept.** SECTION 8. That the said directors shall keep, or cause to be kept, a book or books showing the amount of the taxes levied in each of said boroughs and in the said township, the amount exonerated and collected in each, and the amount expended in maintaining the poor from each of the said boroughs and the said township, which book or books shall, at all times, be open to the inspection of any of the electors in the said boroughs and township.
- Directors to file a certificate in office of clerk of sessions, when buildings completed.** SECTION 9. That the said directors shall, as soon as they shall have provided suitable buildings for the accommodation of the poor of said boroughs and township, file in the office of the clerk of the court of quarter sessions of Luzerne county, a certificate setting forth that such buildings are ready for the reception and accommodation of said poor, which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same, together with the cost of stocking and fitting up the property of the corporation ; and they shall also thereupon give notice to the overseers of the poor of said boroughs and township, of their readiness to receive and accommodate the poor thereof, which said overseers are required forthwith to furnish said directors with a list of the names of the persons then a charge upon said boroughs and township, respectively,
- Statement of cost of real estate, &c., to be made.**
- Notice to overseers.**
- Their duties.**

or receiving relief therefrom, with the place of residence of each; and the said directors shall thereupon cause such poor persons, or such of them as they shall think it expedient, to be removed to said house so provided, and thereafter to be kept, lodged and maintained therein, so long as such persons shall continue a charge upon said borough or township; and no person who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief or support from said directors, or from said boroughs or township, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance and afford relief to any poor persons, without requiring them to be removed to and kept at said poor house.

Removal of poor.

Proviso.

SECTION 10. That the said directors are hereby authorized to provide work and employment for such poor persons as may be able to perform any labor or pursue any employment; and if any poor person, unless by reason of age, infancy, disease, infirmity, or other disability, shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors, such person or persons shall not be entitled to or receive any relief or assistance during such refusal, and shall immediately, upon such refusal, be discharged from said poor house.

Work to be performed by inmates.

SECTION 11. That the overseers of the poor, and other persons having charge of the poor, of the boroughs and township aforesaid, shall, as soon as notified by the directors in the manner provided for in a preceding section of this act, cease to act as overseers of the poor in said boroughs and township, except so far as may be required to settle, adjust and close their accounts, as overseers, with said boroughs and township, or with persons with whom they have transacted business; and they shall, upon demand, deliver to the said directors transcripts of all poor taxes remaining unpaid on duplicates in their hands, together with all books, orders, papers and documents, pertaining to their office, as overseers, and shall also pay to the said directors, or to the treasurer appointed by them, all the moneys unexpended in their hands, belonging to the said boroughs or township; and the said directors shall forthwith issue their warrant to the collector for the collection of all such unpaid poor taxes, which shall be collected in the same manner as is provided for the collection of taxes assessed by said directors.

Settlement of overseers' accounts.

Books, papers, funds, &c., to be delivered to directors.

Collection of unpaid poor taxes.

SECTION 12. That if upon a final settlement by said overseers of the boroughs and township aforesaid, of their account as overseers, any balance shall be found due them, or either of them, the said balance shall be certified by the auditors making such settlement, and thereupon the said directors are required to issue their order upon the treasurer, in favor of such overseer or overseers, for the amount or amounts so certified to be due.

Payment of any balance found to be due overseers.

SECTION 13. That the said directors are hereby required, yearly, on the first Monday of January, in each year, to make and prepare a statement, or to cause the same to be done, showing the income of said real estate for the preceding year, as nearly as the same can be done; also the excess of the expenditures, over and above said income, during the said preceding

Directors required to make an annual statement of income, expenditures, &c.

- year, the amount and kind of personal property then on hand, including grain, stock, and all farming implements and conveniences, the number of persons admitted from each of the boroughs and township aforesaid, and also the number discharged and belonging to the said boroughs and township, respectively, and the number belonging to each then therein, the length of time each of the said persons remained, and the age, sex and nativity of each, a just and correct account of the receipts and disbursements for each of the said boroughs and township during the preceding year; which statement the said directors shall, annually, in the month of January in each year, publish, in any weekly newspaper published in either of the said boroughs, in three successive issues of the same, together with a statement of the aggregate amount of the receipts, disbursements and expenditures, of said corporation during the preceding year, from any source whatever, or for any cause or purpose whatsoever.
- To be published in newspaper.** SECTION 14. That the burgess of each of the boroughs embraced, or that may be embraced under the provisions of this act, and the senior auditor of the township of Providence, shall jointly, or a majority of them, constitute a board of auditors to settle the accounts of the directors, and the said auditors shall meet, for that purpose, on the second Monday of January, in each year, and shall receive for their services, each, one dollar and fifty cents per day, for every day necessarily employed, which shall be paid out of the funds belonging to the corporation.
- Board of auditors.**
- Meeting.**
- Compensation.**
- Orders for relief, how issued.** SECTION 15. That all orders issued for the relief of any poor person or persons within said boroughs or township, after the filing of the certificates mentioned in a preceding section of this act, shall be directed to the directors of the poor of Providence, and upon the receipt of such orders, said directors, or any of them, shall immediately proceed to inquire into the circumstances, and if the person or persons therein named are found to be entitled to relief, he or they shall furnish such relief, or cause such person or persons to be removed or taken to said poor house, and there kept and maintained until legally discharged; but no person shall be discharged from said poor house, unless at his or her own request, except by the direction of at least two of the said directors, though any one of the said directors shall have authority to direct a poor person to be admitted into the said poor house.
- Admission and discharge of paupers, relative to.**
- Authorized to bind out children as apprentices.** SECTION 16. That the said directors are hereby authorized to bind out poor children under their care, whose parents are dead or unable to support them, as apprentices, in the same manner and under the same restrictions, as the overseers of the poor may now, by law, put out such children; and the said directors shall exercise the same power and authority over all real and personal estate of any poor person under their care, as is now, by law, vested in the overseers of the poor.
- Directors to have control of property of inmates.**
- Compensation of directors, treasurer and other officers.** SECTION 17. That the compensation of the treasurer, collector, steward, or superintendent, matron, physician, and other officers or assistants, shall be fixed by the directors, and the compensation of the directors shall be fixed by the board of auditors, at each yearly settlement for the next succeeding year: *Provided*, That the compensation of said directors, from the passage of
- Proviso.**

this act until the first settlement, shall be fixed by the board of auditors, at the first yearly settlement, the said directors to furnish the said auditors a correct account of the time and expense lost and incurred by them in attending to their duties, from which account the said compensation shall be fixed and adjusted.

SECTION 18. That the said directors or treasurer, or any one or more of the tax-payers of said boroughs or township, may, within thirty days from the yearly settlement by the auditors, as aforesaid, appeal from such settlement to the court of common pleas of Luzerne county, in the same manner and under the same provisions and regulations, that appeals from settlements by township auditors are now allowed.

Appeal from auditors' settlement.

SECTION 19. That no moneys shall be paid by the treasurer, except upon orders drawn by the directors, and signed by at least a majority of said directors.

Orders upon the treasurer.

SECTION 20. That the borough of Providence and the borough of Hydepark, in the county of Luzerne, or either of them, may at any time elect to become a part of this corporation, and be entitled to all the benefits and privileges resulting therefrom, and be subject to all the provisions in this act contained; and for the purpose of enabling said boroughs, or either of them, to join said corporation, it shall be lawful for the burgess and town council of said boroughs, or either of them, upon petition of twenty or more of the citizens thereof, asking to become a part of said corporation, to pass an ordinance declaring that said borough shall become a part of said corporation; whereupon, the burgess shall forthwith cause a copy of said ordinance to be lodged with the directors named in this act, or their successors, and the burgess and town council shall forthwith appoint some suitable and competent person, resident therein, to be a director for said borough, who shall hold his office for one year, or until his successor shall be duly elected and qualified; and at the usual spring election next succeeding said appointment, the qualified electors of said borough shall elect one suitable and competent person to serve as director, for the term or period of three years, and the same shall be done every three years thereafter: *Provided*, That said borough or boroughs, respectively, shall, on becoming a part of this corporation, pay a full proportion of the expenses incurred in the purchase of the real estate, erecting the buildings, and fitting up and stocking the property, and to this end, a rate or assessment shall be levied upon the said boroughs, or either of them, in the same manner and with like force and effect, as assessments are levied by virtue of the provisions hereinbefore contained in this act.

The boroughs of Providence and Hydepark may become part of this corporation.

Burgess and council, upon petition, to pass an ordinance.

Copy to be lodged with directors.

Director to be appointed.

Election.

Proviso.

SECTION 21. That the expenses of the corporation, so far as paying the officers and assistants, costs of auditing accounts, and all other matters, except as hereinbefore provided, shall be borne by the several boroughs and the township included herein, in common, and shall be paid out of the funds of the corporation, to be raised in the manner hereinbefore provided; and in case of any tie vote between candidates for the office of director, in either the borough of Providence or Hydepark, at any election for director hereafter, the same shall be decided in the manner as hereinbefore provided, for like occurrences, in the in the boroughs of Dunmore and Scranton.

Expenses of corporation, how paid.

Proceedings in case of a tie vote for directors.

Repealed.

SECTION 22. That all acts of assembly, or parts of acts, hereby supplied, or inconsistent with this act, are hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 369.

AN ACT

Regulating Printing in Snyder county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in addition to the advertising required by law, all public officers, of the county of Snyder, as well as all executors, administrators and assignees, having real or personal estate to sell, shall, from and after the passage of this act, be required to have their advertisements published in one German newspaper, printed at the county seat of said county.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 370.

A N A C T

Relating to Sheriff's and Prothonotary's Costs in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provision of an act relating to sheriff's and prothonotary's costs in Luzerne county, approved the seventeenth day of February, Anno Domini eighteen hundred and fifty-nine, be and the same is hereby extended to the county of Lancaster.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 371.

A N A C T

Relating to the Shamokin Valley and Pottsville Railroad Company.

WHEREAS, The Danville and Pottsville railroad company, or the Philadelphia and Sunbury railroad company, located, and in part graded and constructed a portion of their railroad, from the point at which the line of the said Danville and Pottsville railroad, or the Philadelphia and Sunbury railroad, intersected the extension of the Mine Hill and Schuylkill Haven railroad, at or near Locust Gap, to a point at or near Mount Carbon, in Schuylkill county :

And whereas, The said companies were also interested in certain real estate in Schuylkill county :

And whereas, By judicial proceedings, the said portion of said railroad and said real estate, and the corporate franchises, privileges and appurtenances thereto belonging, were duly sold, and have been vested in the Shamokin Valley and Pottsville railroad company, or in some other person or persons :

And whereas, It is important for the public interest that the said railroad, in whole or in part, should be completed and put into use; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the board of directors of the Shamokin Valley and Pottsville railroad company, or a majority of them, or any other corporation, or person or persons, now owning or holding the said portion of said railroad so located, and in part graded and constructed, and the said real estate in Schuylkill county, shall have the right and authority, and the same are hereby given and granted to them or him, to sell and convey the same, or any part thereof, with the appurtenances, in fee absolutely, for such sum or sums and upon such terms, reservations or conditions, as they or he may think proper; and in any such sale of said portion of railroad, or any part thereof, to sell and convey therewith all the corporate rights, franchises and privileges, which appertain to the said Philadelphia and Sunbury railroad company, or to the said owners thereof, for and in respect to the construction, management and use of the said portion of said railroad, and also to sell and convey therewith the appurtenances thereto belonging; and such sale may be made to any other railroad company incorporated by this commonwealth, who are hereby authorized to take, hold, complete and use the same, freed and discharged from all and every trust, and without any liability to see to the application of the purchase money; and if the same be sold and conveyed to any railroad company, they are hereby authorized to complete, manage, use and control the same, under and in pursuance of their original charter, and with the like effect, as if the said portion of railroad so purchased had formed a part of the road originally authorized to be constructed by such company.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 372.

A FURTHER SUPPLEMENT

To the act incorporating the North Pennsylvania Railroad Company.

WHEREAS, By a supplement to the charter of the North Pennsylvania railroad company, approved the twenty-ninth day of March, one thousand eight hundred and fifty-three, it was enacted, that said company are hereby authorized to connect their railroad with any other railroad now constructed, or which may hereafter be constructed, at either end, or at any intermediate point on the line thereof, in such manner as may be deemed most convenient and advantageous in each and every case:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said supplement shall be so construed as to authorize the said company to connect their railroad with that of the Philadelphia, Germantown and Norristown railroad company, by and through any street in the city of Philadelphia, north of Master street, and not already occupied by the railroad of any other company: *Provided, That before the said company shall use and occupy any street or streets, or route or routes, the consent of the councils of the city of Philadelphia shall be first obtained; and said consent shall be taken and deemed to have been given if said councils shall not, within sixty days after notice given, by said company, of any route or routes, so hereafter selected, signify, by ordinances duly passed, their disapproval thereof.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 373.

AN ACT

Relative to the Public Printing in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

it shall be the duty of the county commissioners of Westmoreland county, on the first Tuesday of January, in each and every year, to receive written proposals for the public printing or advertising of said county, and to allot the same to the two publishers or regular editors of newspapers, of the county, who shall propose to do said printing or advertising on the lowest and best terms.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 374.

AN ACT

Relative to the distribution of the proceeds of Sheriff's sales of Real Estate in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That when real estate shall be sold, by virtue of any writ of execution issued from any court in the county of Allegheny, it shall be lawful for the sheriff to report to said court a schedule of distribution of the proceeds of said sale, according to the list of liens on the property sold, as certified to him from the record by the proper officers, which schedule and list of liens he shall attach to his return of said writ: Whereupon, the said return shall be read in open court, on some day during the term, to be fixed by order of the court; and if the said distribution shall not be questioned or disputed within such reasonable time, as may be fixed by the court, it shall be final and conclusive, and the sheriff shall proceed to pay out, in accordance therewith, the money mentioned in his return, but if exception to the sheriff's return be made by any person interested therein, within such time, the court shall proceed to hear and determine the same, as now provided by law in case of disputes as to the distribution of the proceeds of sheriff's sales.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 375.

AN ACT

Authorising the Chief Burgess, Assistant Burgess and Town Council of the borough of Elizabethtown, in the county of Lancaster, to erect a Lock-up House in the said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief burgess, assistant burgess and town council of the borough of Elizabethtown, in the county of Lancaster, be and are hereby authorized and empowered to erect a lock-up house in said borough, and appropriate the same for the security and temporary detention of persons committed by justices of the peace or burgess, or assistant burgess, of said borough, for any violation of the laws of this commonwealth, or of the ordinances of said borough, for which said person or persons could be lawfully committed to the common jail of said county, there to be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence: *Provided*, That no person shall be confined for a longer period than forty-eight hours, at any one time, in said lock-up house, except such person be charged with an indictable offence, and it be necessary to detain such person or persons for further examination.

Erection of lock-up house authorised.

Purposes of.

Provide.

SECTION 2. That the legal fees for the arrest, commitment and safe keeping of any person or persons in said house, on a charge of any indictable offence, shall be taxed by the proper authority and paid as other costs in the case.

Fees, how paid.

SECTION 3. That the chief burgess, assistant burgess and town council of the said borough, or a majority of them, may appropriate and pay for the erection of said lock-up house, and shall appoint a proper person to keep said lock-up house, and pay for such services, from time to time, whatever the said burgess or town council, or a majority of them, may deem just and proper, said sums to be paid out of the funds of said borough: *Provided*, That the cost of said lock-up house shall not exceed three hundred dollars: *Provided further*, That it may be lawful for the town council of said borough to levy and collect a tax upon the taxable property thereof, sufficient to pay the expenses of erecting and maintaining the said lock-up.

Cost of erection.

Appointment of keeper.

Compensation.

Provide.

Provide.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 376.

A N A C T

To incorporate the Clarion Turnpike and Bridge Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Jacob Black, George W. Arnold, Hugh Maguire and James Campbell, are hereby erected into a body corporate, with all</i>
Privileges.	<i>the privileges and franchises incident to a corporation, for the purpose of re-building, repairing and maintaining in repair all that portion of the Susquehanna and Waterford turnpike road, situated and lying within the following points, to wit: Commencing at the east line of the county of Clarion and extending eastward by the track of said road through the county of Clarion and into Jefferson county, as far as the western boundary of the borough of Brookville, in said county, under the name and style of the Clarion turnpike and bridge company.</i>
Name.	SECTION 2. That the said corporators are hereby authorized
Officers.	to elect a president, treasurer and secretary, and such superintendents or managers as may be necessary for the prosecution
By-laws.	of said work, and with power, also, to make any by-laws for the government of said company, not inconsistent with the constitution and laws of this commonwealth.
Authorized to take the property of the Susquehanna and Waterford turnpike company, within certain limits.	SECTION 3. That said turnpike and bridge company are hereby authorized to take, occupy and possess, within the limits last aforesaid, all the property, rights, privileges and franchises of the said Susquehanna and Waterford turnpike company, with all the power and authority of the same, to erect gates, levy tolls, and enforce the payment thereof by legal process, as authorized and provided for in the original charter of said
May change location of road.	Susquehanna and Waterford turnpike company, and with power, also, to alter and change the route and location of said road, should the same be deemed necessary by the company hereby incorporated.
When tolls may be collected.	SECTION 4. That when any one section of five miles of said road shall have been repaired, in conformity with the original charter, the said Clarion turnpike and bridge company are hereby
Limitation of rates.	authorized to erect gates and take toll, at rates not to exceed that specified in the charter and supplements thereto of the Susquehanna and Waterford turnpike road company aforesaid.
County bridge over Clarion river, at certain point, relative to.	SECTION 5. That should the commissioners of Clarion county elect to erect a county bridge over the Clarion river, at or near the point where the Susquehanna and Waterford turnpike road strikes said river, and maintain and keep the same in repair, the company hereby incorporated shall have no power or authority over the same, but it shall be the exclusive property of said county and under its control; but should the said county commissioners neglect and refuse to erect a bridge as aforesaid,

the company, aforesaid, are hereby authorized to erect a toll bridge, at its own expense and costs, and to have the exclusive control thereof, and to levy a toll on all persons and property passing over the same, not to exceed in amount that authorized to be collected on two sections of the turnpike, and on all footmen, not to exceed two cents for each and every passage.

SECTION 6. That any of the corporators may sell and transfer his or their interest in said corporation, by assignment on the books of said company: *Provided*, That no assignment shall be valid, or any new member admitted, without a resolution of the said company authorizing and consenting to the same.

SECTION 7. That all acts of assembly, or parts thereof, inconsistent with, altered or supplied by this act, be and the same are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 377.

A SUPPLEMENT

To an act, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to incorporate the Pittsburgh and East Liberty Passenger Railway Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the business affairs of said railway company shall hereafter be managed by a board of three directors, to be qualified and elected by the stockholders, at the next, and all subsequent, annual elections, in the manner mentioned in the act incorporating said company, and the supplements thereto.

SECTION 2. That from and after the passage of this act, it shall be lawful for the said railway company to pay into the treasury of the city of Pittsburgh, as a consideration for the use of the streets of said city now occupied by said railway, such annual sum of money as the said railway company and the council of said city may agree upon, the same to be in lieu and instead of all the tax required to be paid by said company, by the ninth section of the act to which this is a supplement: *And*

Proviso. *provided further*, That the said company shall not be required to keep the streets of the said city, over which their road passes, in repair, except so much thereof as may lie between the rails of the track: *Provided however*, That the provisions of this section shall in nowise interfere with any contract now existing between the city of Pittsburg and the said railway company, until the said council shall have, by ordinance duly passed, given their consent thereto.

Suits for recovery of certain penalties, how to be brought. SECTION 3. That all suits hereafter entered, to recover the penalty for a violation of the provisions of the twelfth section of the act to which this is a supplement, shall be in the name of the commonwealth of Pennsylvania, for the use of the county of Allegheny; and in lieu and instead of the provisions of the

Thirteenth section of certain act repealed.

thirteenth section of said act, which said section is hereby repealed, the council of the city of Pittsburg shall have power to regulate the number of freight cars to be used upon said road, and the manner of running the same, and to fix and designate the place or places, on the different streets, where the cars of said railway company shall stop, for the purpose of discharging and receiving passengers and freight, and also to make such rules and regulations as may be required, for the purpose of paving, grading, culverting, and laying gas and water pipes, on and along the streets used by said railway.

Council empowered to make certain regulations.

Bonds, secured by mortgage on portion of road, may be issued.

SECTION 4. That said company shall have power to raise, on bonds, to be secured by a mortgage on that portion of the road lying between the village of Wilksburg and the village of East Liberty, or from the point where Shady lane intersects the Farmers' and Mechanics' turnpike road, including its stock and franchises, belonging to and connected with said portion of said road, any sum of money not exceeding ten thousand dollars, for the purpose of building, constructing, equipping and putting in running order, the said portion of the road above described: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum.

Proviso.

Rates of fare.

SECTION 5. That the rate of fare per passenger, that the said company will be allowed to charge, shall be as follows: To or from any intermediate point between Ferry street, in the city of Pittsburg, and the line of the city, five cents; to or from any intermediate point between Oakland and East Liberty, five cents; but in no case, to be greater or less than five cents to or from Oakland, ten cents to or from East Liberty, or fifteen cents to or from Wilksburg: *Provided*, That the residents of the vicinity between Oakland and the Peebles township line, shall not be subjected to any higher rates of fare than they have heretofore been charged.

Proviso.

May use certain lane and extend road.

SECTION 6. That it is hereby declared to be lawful for the said company to use and occupy, for the purposes of their railway, Shady lane, from the Farmers' and Mechanics' turnpike road, to the Pittsburg and Greensburg turnpike road, and at the discretion of the managers, to extend their said railway from the house of John Beidler, in the village of East Liberty, along the said Pittsburg and Greensburg turnpike road, to the house known as Henry Barker's, or Point Reeze, and from thence to the village of Wilksburg.

SECTION 7. That the provisions of the eleventh section of the Construction of act incorporating said company, shall be held and construed to certain section. apply only to that portion of said railway lying the limits of the city of Pittsburg; and so much of the act incorporating said company as may conflict with the provisions of this act, be and the same is hereby repealed: *Provided*, Nothing in this Prohibition. act contained shall authorize the said company to run locomotives on their road, within the limits of the said city.

JOHN ROWE,
Speaker of the House of Representatives

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 378.

A N A C T

To repeal an act to appoint Road Commissioners to take charge of a portion of the Warren and Ridgway Turnpike Road in Elk and Forest counties, passed April fifteenth, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act of assembly of this commonwealth, entitled "An Act to Repeal. appoint road commissioners to take charge of a portion of the Warren and Ridgway turnpike road in Elk and Forest counties," passed April fifteenth, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby repealed.

SECTION 2. That the supervisors or road commissioners in the several townships through which said road passes, shall take charge of and keep said road in repair, in the same manner as other roads in their several townships are now kept and maintained. *Supervisors to take charge of road, &c.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 379.

AN ACT

Relative to the repairing of a certain Public Road in the township of Reed, Dauphin county, and township of Watts, Perry county, and vacating a Road in Reed township, Dauphin county.

Preamble.

WHEREAS, The senate and house of representatives of the commonwealth of Pennsylvania, passed an act, entitled "An Act authorizing the commissioners of the counties of Dauphin and Perry, to construct a road from a point in Watts township, Perry county, to a certain point in the township of Reed, county of Dauphin," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty:

And whereas, The said road has been made and completed agreeably to the said act of assembly; therefore,

Certain road to be kept in repair by supervisors.

Expenses, how paid.

Subject to.

Point road in Reed township, Dauphin county, vacated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said public road, as aforesaid, shall be kept in repair by the supervisors of the townships of Reed and Watts, in the counties of Dauphin and Perry, respectively, and all expenses incident thereto shall be paid out of the fund created by township rates and levies, in the said townships; and in no case shall the counties of Dauphin and Perry be liable for repairing the same.

SECTION 2. That the said public road shall be subject to the general road laws of Pennsylvania.

SECTION 3. That the road known as the Point road, leading from the main road, in the township of Reed, in the county of Dauphin, and on the point of Duncan island, six hundred feet long, leading through the property known as the M'Gee property, is hereby vacated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 380.

AN ACT

To incorporate the Farmers' Railroad Company of Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joshua Rhodes, William Bagely, John Hanna, C. W. Ricketson, James D. Varner, Wm. Phillips, J. S. Cosgrove, G. W. Cass, R. H. Kerr, S. Q. Brown, N. F. Jones, Jonathan Watson, Myron Waters, Thomas Hoge, James S. Myers, William Gates, S. P. M'Calmont, W. D. Brown, Jno. L. Mitchell and P. H. Siverly, or a majority of them, be and they are hereby appointed commissioners to open books, at Oil City, in Venango county, receive subscriptions and organize a company, by the name and style of the Farmers' railroad company, with all the powers and subject to all the restrictions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and fifty-nine, and the several supplements thereto, except as are hereby altered or supplied, and except, also, the second proviso of the eighteenth section of said act, which shall not apply to this company.

SECTION 2. That the capital stock shall consist of one thousand shares at fifty dollars each share, and that the said company shall have power, by a vote of a majority of the stockholders, at a meeting convened for that purpose, to increase said capital stock to such an amount as may be necessary to complete said road; and that the said company are hereby authorized to borrow any sum of money, not exceeding the sum of one hundred thousand dollars, and to issue bonds therefor, with or without coupons attached, and that the directors of said company shall have power to give such bonds such preferences or security, by mortgage or otherwise, as they may deem advantageous: *Provided*, That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per cent. per annum, as may be agreed on shall be lawful: *And provided further*, That at least one-half the capital stock shall be actually paid in before any bonds shall be issued.

SECTION 3. That said company shall have the right to build and construct a single or double track railroad from the mouth of Oil creek, in Venango county, up said creek to the Venango county line, and from the mouth of said Oil creek to Franklin, in Venango county; said road to be constructed as a horse railroad, or for locomotives, as the said company may deem expedient: *Provided*, That no locomotive shall run on said road without the consent of all the owners of the oil wells within two hundred feet of the track of said road

Assessment and
payment of dam-
ages.

SECTION 4. That in all cases, when said company and the owners of lands and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damages, as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed according to law; and that in case the party or parties claiming damages refuse to accept the bond or bonds tendered by said company, the said company may cause the same to be presented to the court of common pleas of Venango county, or to any judge thereof in vacation; and that the said court or judges, if the amount and security be deemed sufficient, shall endorse thereon, approved and ordered to be filed, and thereupon the said company shall have the like rights and privileges as they would have by this section if such bond had been accepted by the owner or owners of the land or materials; the board of managers of said company shall consist of a president and eight directors.

Managers.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 381.

AN ACT

To construe part of the sixth section of an act, entitled "An Act to provide for the payment of the Members, Officers and Contingent Expenses of the extra session of the Legislature," approved May sixteenth, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the special tax of one half mill on the dollar, required by the act recited in the title to this act, to be levied and collected on all property now subject to state tax, shall be levied and collected only on and from such real and personal property as was on the sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one, subject and liable to pay a tax of two and a half mills on every dollar of the value thereof; and that

the same abatement, for payment of said tax into the state treasury, shall be allowed as is now allowed for the payment of taxes under the provisions of the forty-second section of the act of April twenty-nine, one thousand eight hundred and forty-four, entitled "An Act to reduce the state debt and to incorporate the Pennsylvania canal and railroad company."

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 382.

AN ACT

For the opening of Evangelist street, in the Third ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Evangelist street, as now laid out and built upon, thirty-eight feet ten inches in width, at the distance of one hundred and thirty feet north from the north side of Catharine street, in the Third ward of the city of Philadelphia, be continued and opened from the point where the same is now built upon and improved, with permanent brick messuages, a further distance of about ninety feet, to the east line of Eighth street; and that the court of quarter sessions of the city of Philadelphia shall, upon application being made to them, appoint a jury of view to assess the damages occasioned by said opening, which jury shall, immediately after the appointment, assess said damages and certify the same to the court of quarter sessions aforesaid.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 383.

AN ACT

To authorize the Burgess and Town Council of the borough of Johnstown, to make sale of certain grounds in said borough.

Burgess and
town council au-
thorized to sell
certain grounds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the burgess and town council of the borough of Johnstown, in the county of Cambria, and they are hereby authorized to sell, at public sale, any grounds belonging to said borough, which the said burgess and town council may deem unnecessary for the use of said borough, and upon any sale or sales having been made, in pursuance of this act, the burgess shall execute and deliver a deed or deeds to the purchaser or purchasers, in fee simple.

Notice of sale.

Prohibition.

SECTION 2. Before any sale shall be made under the provisions of this act, at least ten days' notice shall be given thereof, by handbills, and through at least one newspaper; and nothing herein contained shall authorize the sale of the ground, known as the public square, of said borough of Johnstown.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 384.

AN ACT

Repealing parts of certain acts relating to Deer in the counties of Union and Snyder.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act, entitled "An Act relating to deer in Union county," approved the twenty-sixth of March, Anno

Domini one thousand eight hundred and sixty, and so much of the act, entitled "An Act to prevent hunting deer with dogs in certain townships and counties of this commonwealth," approved the twenty first day of March, Anno Domini one thousand eight hundred and sixty, as relates to the county of Snyder, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 385.

A SUPPLEMENT

To an act to set off a portion of the borough of Wilkesbarre, in the county of Luzerne, into a separate ward, approved April second, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the several wards of the borough of Wilkesbarre shall each be entitled to three members of the town council, to be elected by the voters of said wards, each ward voting for and electing the members for said ward.

Each ward to be entitled to three councilmen.

SECTION 2. The several wards in said borough shall hereafter be known and designated as follows: The North ward as the First ward, the South ward as the Second ward, and the South-west ward as the Third ward.

Names of wards.

SECTION 3. That all that part of the borough lying north-west of Market street, shall comprise the First ward; and that portion lying between Market street and South street, shall comprise the Second ward; and that portion of said borough situate south-west of South street, shall comprise the Third ward.

Boundaries.

SECTION 4. That for the purpose of giving to each ward a full and equal share in the proceedings of said council, after the next charter election, the voters of the First ward shall, at the said election, vote for and elect one person in said ward, as a member of the town council, to serve for the term of three years; and at the charter election for the year one thousand eight hundred and sixty-four, the voters of said ward shall vote for and elect one person in said ward, as a member of said town council, to serve for the term of three years, and one person to

Mode of electing members of council.

serve for the term of two years, and annually thereafter the voters of said ward shall vote for and elect one person in said ward, as a member of said town council, to serve three years; and at the charter election of one thousand eight hundred and sixty-three, the voters of the Second ward shall vote for and elect one person in said ward, as a member of the said town council, to serve three years; and at the charter election for one thousand eight hundred and sixty-four, the voters of said ward shall vote for and elect one person in said ward, as a member of said town council, to serve for three years, and one person to serve for one year, and annually thereafter the voters of said ward shall vote for and elect one person in said ward, as a member of said town council, to serve three years; and the voters of the Third ward shall, at the charter election of one thousand eight hundred and sixty-two, vote for and elect one person in said ward, as a member of the said town council, to serve for the term of three years, and one person to serve for the term of two years, and annually thereafter the voters of said ward shall elect one person in said ward, as a member of said town council, to serve for the term of three years.

Election of bur-
gess and high
constable.

SECTION 5. That the voters of the several wards shall, at each charter election in said borough, vote for and elect one qualified resident citizen of said borough, to the office of burgess of said borough, and one other qualified resident citizen of said borough, to the office of high constable of said borough; the returns of said elections to be made in accordance with the provisions of the act to which this is a supplement.

Returns.

Repeal.

SECTION 6. All acts or parts of acts, inconsistent with the provisions of this act, are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 386.

AN ACT

Authorizing the Commissioners of Delaware county to fix the compensation of Tax Collectors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the compensation allowed to collectors of taxes for their services in the county of Delaware, shall hereafter be fixed by the county commissioners of said county: *Provided*, That the rate allowed shall not exceed five per cent. on the amount collected.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 387.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Towanda Coal and Iron Company, passed the sixteenth day of April, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Elwell and E. W. Baird be added to the list of incorporators named in the first section of said act; and the first election for directors shall be called by the incorporators, or any three of them, at such time and place as may be designated; and that the time limited for the payment of the enrolment tax on said act, be and is hereby extended one year.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 388.

AN ACT

To fix and regulate the compensation to be allowed to Sheriffs of Greene county for conveying convicts to the penitentiaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the compensation hereafter to be paid to the sheriffs of the county of Greene, for conveying prisoners sentenced by the courts to the penitentiaries of this commonwealth, shall be as follows, to wit: three dollars per day for each day actually employed in such removal, three cents per mile for each mile circular traveled, and such necessary expenses as may be actually incurred in such removal, a statement or exhibit of the items of such expense to be made out and verified by affidavit and approved by the court.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 389.

AN ACT

Authorizing the payment of the Claim of James Layton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer, out of any moneys not otherwise appropriated, is hereby authorized to pay to James Layton, of Westmoreland county, the sum of two hundred and thirty-seven dollars and fifty-seven cents, the amount of his claim against the commonwealth: *Provided,* That the same shall not be paid

until the same shall be examined and approved by the auditor general, attorney general and state treasurer.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 390.

SUPPLEMENT

To an act appointing Commissioners to lay out and open a State Road in the counties of M'Kean and Elk, passed the twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

WHEREAS, A. T. Aldrich and Willis Barrett, two of the commissioners named in the act to which this is a supplement, did in the year one thousand eight hundred and sixty-one, lay out upon said road certain moneys belonging to themselves, in repairing and extending said road, supposing that house bill, number one hundred and eighty-five, of the session of one thousand eight hundred and sixty-one, had become a law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors or road commissioners of the townships, through which said road passes, in the counties of Elk and M'Kean, are hereby required to pay over to said Aldrich and Barrett, out of the taxes for road purposes for the year one thousand eight hundred and sixty-two, an amount sufficient to reimburse them for the sum by them expended, and the same shall be paid in proportion to the amount of work done upon said road, in each township, through which said road passes, beginning at or near the bridge across the Clarion river, where the Milesburg and Smethport turnpike crosses the same, in Kane township, Elk county, to where said road again intersects said Milesburg and Smethport turnpike, in M'Kean county, near the house of Willis Barrett.

Preamble.

Supervisors to reimburse A. T. Aldrich and Willis Barrett for money expended in repairing and extending certain road.

Auditors of the several townships to settle accounts of said commissioners.

SECTION 2. That it shall be the duty of the township auditors of Kane township, Elk county, to meet as soon as convenient after notice given them so to do by the said commissioners, and also, the township auditors in the townships of Sergeant, Hamlin and Keating, in the county of M'Kean, when in like manner requested, and settle and adjust the amount of work done by said commissioners in each of the said townships, and ascertain how much is due said commissioners from each township respectively, for the amount of work which shall have been necessarily done during the year, Anno Domini one thousand eight hundred and sixty-one; and said settlement shall be governed in all respects, as provided by law regulating the settlement of supervisors' accounts in said townships, and shall be subject to appeal in like manner, and when the amount shall be ascertained, the supervisors or road commissioners of said townships shall pay the amount found to be due said commissioners, as provided in the first section of this act.

Appeal.

Payment.

Extension of time, as to Elk county, &c.

Substitution.

SECTION 3. That the provisions of the act to which this is a supplement be and the same are hereby extended for a further period of five years, so far as the road runs through Elk county, and that William H. Gallagher is hereby substituted as one of the commissioners in place of Alonzo I. Wilcox.

Commissioners to take charge of portions of certain roads.

SECTION 4. That the said commissioners are hereby authorized to take charge, and keep in repair all of the said road embraced within Kane township, Elk county, mentioned in said act to which this is a supplement, and also, that part of the township road leading from Wilcox, in Elk county, to the point where the road from Wilcox intersects the Ridgway and Smethport turnpike road, in said Kane township.

Amount of road tax in Kane tp. to be paid to the commissioners.

SECTION 5. That one and one-half mills on the dollar upon the valuation of all the road taxes levied and assessed upon the property in the township through which said road passes, shall be paid by the supervisors thereof to the said commissioners; and it shall be the duty of said commissioners to faithfully expend the same in repairing and keeping in order the road aforesaid.

Additional tax may be levied.

SECTION 6. That if the amount of tax mentioned in the fifth section of this act is not sufficient to keep said road in proper repair, it shall and may be lawful for said commissioners to levy a further tax of one mill on the dollar, upon the property in the township through which said road passes, in the same manner, in which, the supervisors of the said township are by law authorized to levy and collect road taxes: *Provided*, That before said one mill shall be levied, it shall be the duty of said commissioners to make application to the court of quarter sessions of Elk county, by petition, for leave to levy the same, and it shall be lawful for said court to grant the same, if, in their opinion, the said additional tax shall be necessary for the purposes mentioned in this act.

Proviso.

Bond to be given by commissioners.

SECTION 7. That the bond required to be given by said commissioners, in the act to which this is a supplement, shall be given in the name of the county of Elk, and proceedings upon it shall be had, as in cases of other bonds given by public officers in said county.

SECTION 8. That so much of the act to which this is a supplement, as is herein altered, be and the same is hereby repealed. Repeal.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 391.

AN ACT

To incorporate the Titusville and Spartanburg Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That A. J. Millard, Eli D. Catlin, Elijah Groom, O. T. Drown, William Glenn, E. D. White and J. M. Bates, or any three of them, are hereby appointed commissioners to open books, to receive subscriptions, and organize a company, by the name, style and title of the Titusville and Spartanburg plank road company, with power to construct a road with plank, timber, stone, or other hard material, from Titusville to Spartanburg, in the county of Crawford, and by that name shall have perpetual succession, and all the privileges of a corporation, and of suing and being sued, and all other matters and things which a corporation may lawfully do, and shall have power to increase the capital stock, if necessary to carry out the object of this act. Commissioners.
Title.
Authorized to construct road.
Privileges.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty-five dollars each, and whenever fifty shares shall have been subscribed, a meeting may be called, by any three of the stockholders, giving ten days' written notice of the same, for the election of one person as president and five persons as directors, who shall hold their office for one year, and until their successors shall be elected: *Provided,* That if the said road shall not be commenced within two years and completed within five years, then this act to be null and void, except so far as to enable the company to settle its affairs. Capital stock.
Election of officers.
When road to be commenced and completed.

SECTION 3. That said company shall have power to make use of any part of any other road along said route, and locate their road upon the same ground, and commence their road at or in the borough of Titusville, and terminate at such place, in Sparta, May use other roads.
Location.

Extension authorized. as may be found best, with power to extend the same to the Philadelphia and Erie, or Atlantic and Great Western railroad, in Sparta, or any adjoining township; and shall be subject, so far as not inconsistent with this act, to the provisions of the act regulating turnpike and plank road companies, approved January twenty-sixth, one thousand eight hundred and forty-nine, except so far as relates to tolls, which discriminate in favor of wheels of greater width than four inches; and the company hereby incorporated shall have the power to regulate their tolls, within the limits prescribed by said act, and the several supplements thereto, without reference to width of wheels.

Subject to.

Tolls.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 392.

AN ACT

Relative to the Claim of Moses Brink.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, state treasurer and attorney general be and they are hereby authorized and required to examine the claim of Moses Brink, of Pike county, for lumber furnished the state, on the Delaware division of Pennsylvania canal, in the year one thousand eight hundred and thirty-seven, and, after such examination, shall report the amount they find due, if any, to Moses Brink, to the state treasurer, who is hereby authorized and required to pay the same out of any moneys in the treasury not otherwise appropriated.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 393.

AN ACT

For the more effectual protection of the owners of Logs and Lumber on the Susquehanna river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

from and after the passage of this act, it shall and may be lawful for any person or persons, party or company, who are or shall be engaged in lumbering, in any manner, upon the West Branch of the river Susquehanna, or any of its tributaries, to adopt one mark of designation, which mark may be either in letters, figures, words, names, or other devices, at the discretion of such person, party, or company, wherewith to stamp or mark all logs, masts, spars, shingles, shingle bolts, square timber, boom sticks, boards, or other lumber, put, or intended to be put in said stream or its tributaries, to be run, driven or floated to any mills, booms or markets anywhere, at or above the Susquehanna boom at Williamsport, and to furnish to the prothonotary of the court of common pleas, at Williamsport, in the county of Lycoming, or other county, where the said kinds of lumber shall be put into said stream or tributary, a statement, in writing, of the mark so adopted, as aforesaid, with a certificate appended, that the same has been so adopted as a mark of designation, as aforesaid, signed by the person, party or some officer of the company adopting the same, as aforesaid; and no person, party or company shall be entitled to adopt more than one of any of the kinds of marks aforesaid, as a mark of designation, but any such person, party or company shall not be prohibited from using any other mark or marks, in addition to the mark of designation, for distinguishing different kinds or lots of lumber, or lumber obtained from different localities, so always as that it interfere not with the mark of designation of any other person, party or company; and it shall be the duty of the prothonotary aforesaid, to receive and file of record, in his office, any mark stated and certified as aforesaid, and to give a certificate thereof to the person filing the same, and certificates thereof, from time to time, to any person demanding the same, under his hand and the seal of the court; and the said prothonotary shall be entitled to demand and receive for the first certificate, as aforesaid, the sum of one dollar, and for every subsequent certificate, the sum of twenty-five cents; and the said certificates shall be *prima facie* evidence of the right of the person, party or company filing the same, to the use of the mark mentioned therein, and that all logs, shingles, shingle bolts, masts, spars, square timber, boom sticks, boards or other lumber in and along said streams, or in and along the main river Susquehanna, are the property of the person, party or company, whose mark of designation, duly registered, as aforesaid, shall

Persons or companies engaged in lumbering on West Branch of Susquehanna or tributaries authorized to adopt certain marks.

To apply only to lumber above Susquehanna boom at Williamsport.

Statement of mark adopted, &c., to be filed in prothonotary's office.

Prohibition.

Prothonotary to give certificates.

Fee for same.

Certificates to be evidence of ownership, &c.

Right of use of mark to depend on priority of registry.

be thereon; the right to the use of any mark of designation, as aforesaid, shall depend upon the priority of the registry on record, as aforesaid, and no mark of designation, as aforesaid, shall be received or filed, or certificate given therefor, by the prothonotaries aforesaid, if the same shall have been previously registered, it being the true intent and meaning of this act to prevent the use of the same mark of designation by more than one person, party or company.

Catching or taking up certain kinds of lumber marked, in said streams, without authority, prohibited.

SECTION 2. That from and after the passage of this act, it shall not be lawful for any person or persons, without authority from the owner or owners, to catch, stop, take up or detain any lumber of any of the kinds mentioned in the first section of this act, excepting masts, spars, square timber and boards, which shall be floating in any of the streams or main river above said Susquehanna boom, mentioned in said section, having thereon any duly registered mark, under any pretence whatsoever; and the owner or owners of any of the kinds of lumber aforesaid, marked with duly registered marks, or his, her or their agent or agents, shall be entitled to take possession of and remove, at his or their pleasure, any lumber of any of the kinds before mentioned, so taken up, stopped or detained, as aforesaid, contrary to the provisions of this act, without being in any manner liable for damages or expenses incurred by any person or persons so taking up, stopping or detaining the same, as aforesaid, without let or hindrance, upon the production of the certificate of the prothonotary, made in conformity with the provisions of this act, either by the owner of the mark mentioned therein, or by any other person or persons, agent or agents, with the authority from the owner or owners, in writing, endorsed thereon or annexed thereto for the purpose, and duly acknowledged before any officer authorized to take acknowledgments of deeds or other writings: *Provided*, That this section shall not apply to any incorporated boom company, or to lumber of any of the kinds aforesaid, taken up below said Susquehanna boom; and that for the purpose of encouraging persons to catch, take up and secure logs and lumber floating down the Susquehanna river, below the Susquehanna booms, it shall and may be lawful for any person or persons so taking up and securing any of the said kinds of lumber, so found floating down the said river, below said booms, to charge and receive from the owner or owners of said lumber, the sum of fifty cents per thousand feet, board measure, and to have a lien upon the same until payment is made or tendered by the owner or his agent; and for all such lumber, as aforesaid, taken up below the Columbia bridge, seventy-five cents per thousand feet, board measure.

Owners not liable for damages or expenses incurred thereby.

Proviso.

Owners may enter upon lands, mills, &c., to search for and remove lumber.

SECTION 3. That the owner or owners of any of the kinds of lumber aforesaid, their agent or agents, shall have the right, and by this act are authorized to enter peaceably upon the lands, mills or other premises of any person or persons, above said Susquehanna booms, doing no damage, to search for any such lumber, duly marked with registered marks, as aforesaid, and shall have the right, and by this act are authorized to remove any such lumber, marked as aforesaid, without let or hindrance, first paying to the owner or owners of such mill, premises or land the actual damage done thereto, by occasion of such lum-

Damages, relative to.

ber having floated or remained thereon, or damage done in the removal of such lumber therefrom; and if the parties can not agree as to the amount of damages done, as aforesaid, the said lumber shall be delivered up to the owner or owners thereof, his, her or their agents, upon the production of a certificate, as provided in the second section of this act; and the owner or owners thereof, his, her or their agents, as aforesaid, shall be liable to arrest, at the suit of the owner or owners of any such mill, premises or land, as aforesaid, upon a *capias ad respondendum*, from which he or they shall not be discharged until he or they shall give bail absolute, before the justice or prothonotary who shall issue the same, to pay to the owner or owners of any such mill, premises or land, as aforesaid, the amount of the judgment that may be finally recovered for the damages, as aforesaid, with costs of suit: *Provided*, That if the person or persons commencing any such suit, as aforesaid, shall fail to recover, on final hearing, a greater amount than was tendered by the owner or owners, his, her or their agents, as aforesaid, at the time of claiming such lumber, as aforesaid, then the party plaintiff shall pay the party defendant, his, her or their necessary costs of suit, and for his, her or their witnesses; which costs, as aforesaid, shall be paid before the amount of the judgment obtained shall be collected, or be made a set-off against the same; and it shall not be required, upon the trial of any such case, to bring the money offered into court.

SECTION 4. That if any of the kinds of lumber aforesaid, duly marked with registered marks, as aforesaid, which may float or come upon any land, as aforesaid, shall not be claimed, as aforesaid, within three months thereafter, the same shall be forfeited to the use of the owner or owners of any such land, as aforesaid: *Provided*, That the said lumber shall have been first advertised for three successive weeks, in the newspaper published nearest to said land, the cost of which to be added to the other charges and paid by the owner, before he shall be entitled to remove the said lumber.

When lumber may be forfeited.

Advertisement required.

SECTION 5. That if any person or persons shall fraudulently or wilfully use the registered mark of another, or shall fraudulently make claim to be the owner of any lumber of any kind, whether marked or not, in and along said streams and main river, or shall fraudulently refuse to deliver up any lumber of the kinds aforesaid, duly stamped or marked as aforesaid, in accordance with the second and third sections of this act; or shall, without authority from the owner or owners thereof, wilfully deface or obliterate any marks, names, figures, letters, or other devices of designation thereon, whether registered or not, or shall fraudulently saw, split, consume, destroy, or injure or knowingly permit to be sawed or consumed upon his, her or their mill, or other factory, or shall fraudulently sell or purchase, or convert to his, her or their use any lumber of the kinds mentioned in the first section of this act, whether marked with registered marks as aforesaid, or not, unless the same shall have become duly forfeited, according to the provisions of this act, or the provisions of existing laws, every such person so offending shall, for every such offence, upon conviction thereof, forfeit and pay a sum, not exceeding

Penalties for fraudulent use or obliteration of marks, refusal to deliver up lumber marked, &c.

one thousand dollars, and if the court deem proper, also, undergo an imprisonment by separate and solitary confinement at labor, or simple imprisonment, not exceeding three years.

Boom companies not responsible for lumber escaping unless duly marked.

SECTION 6. That no incorporated boom company upon said streams shall be held legally responsible for any logs or lumber, such as they are authorized by their respective charters to catch or stop, that may escape from any booms, unless the same shall have been duly marked as aforesaid, with registered marks, and the production to the officers of said companies of a certificate, as provided in the second section of this act, shall be sufficient evidence to warrant the delivery of any lumber caught in said booms, to the person, party or company certified to be the owner or owners of the marks thereon, or his, her or their agent or agents, in the absence of any express notice of any other claim to the same: *Provided*, That this section shall not be so construed as to prevent the said companies from collecting boomage upon such non-marked lumber, according to the provisions of their respective charters: *Provided further*, That such boom companies shall not be released from legal responsibility for any such logs or lumber as may escape from the control of the owner or owners, by reason of high water, or from other causes, which may be stopped by, or come into any boom, as aforesaid.

Certificate to be sufficient evidence.

Provide

Provide.

Repeal of certain acts.

SECTION 7. That the act of the general assembly of this commonwealth, approved the twentieth day of March, Anno Domini one thousand eight hundred and twelve, entitled "An Act to regulate the taking up of lumber in the rivers Susquehanna and Lehigh, and their branches," an act approved the twentieth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to regulate the advertisement of lumber lodging upon islands, et cetera," and an act, approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act supplementary to an act to regulate the taking up of lumber, approved the twentieth day of March, Anno Domini one thousand eight hundred and twelve," be and the same are hereby repealed, so far as relates to any of the several kinds of lumber mentioned in the first section of this act, having thereon a duly registered mark as aforesaid, in and along the streams and their tributaries mentioned in the first section of this act.

Bills of sale of lumber marked, effect of.

SECTION 8. That any bill of sale of any of the kinds of duly marked lumber aforesaid, executed and acknowledged as provided in the second section of this act, either by the owner of the mark stamped thereon, or his, her or their administrators or executors, or by any sheriff or other public officer, that he has made sale of any such marked lumber as aforesaid, by virtue of lawful authority, shall be *prima facie* evidence that the title of the person, party or company owning the mark thereon in such lumber, has become vested in the grantee or grantees mentioned in such bill of sale, as aforesaid, and the like effect shall be given to every subsequent bill of sale of any

such lumber, made and acknowledged as hereinbefore provided.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL.
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 394.

AN ACT

To establish a Public Ferry on the Allegheny river, at the village of Tidioute, in the county of Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William S. Cohill, Isaac G. Lacey, G. B. Hammer and J. M. Bates, their heirs and assigns, shall have the right, at their own proper costs and charges, to make a good and convenient landing or landings, with such roads as it may be necessary to make to and from such landings, on the Allegheny river, at and opposite the village of Tidioute, in the townships of Limestone and Deerfield, and county aforesaid; and the owner of said ferry shall keep good and substantial boats and flats, and a careful ferryman, who shall constantly, as may be required, attend for the purpose of transporting travelers and others across said river, and on failure thereof, unless prevented by some unavoidable occurrence, he shall pay a fine of five dollars, besides the damages sustained by any person who may be detained, and shall sue for the same within ten days thereafter, before any justice of the peace of said county. Ferry authorised
Penalty for neglect of duty.

SECTION 2. For ferrying, the following rates shall be charged: Rates of ferriage.
For each person footman, five cents; for each person and single horse, ten cents; for one horse and one horse vehicle, fifteen cents; for each two horse, or ox wagon, or carriage, twenty cents; for each additional horse, five cents; for horned cattle, not exceeding ten, five cents each; and three cents when over that number, at any one time; for sheep and swine in droves, not exceeding three cents per head.

SECTION 3. That if by establishing landings, or making road or roads aforesaid, or of setting posts for the purpose of establishing a chain ferry, any person or persons shall be damaged or injured thereby, the person so aggrieved, may apply by Damages, how to be assessed.

Report to be confirmed by court.

Payment, &c.

petition to the court of quarter sessions, setting forth the character of the damages sustained; whereupon, the said court shall appoint three disinterested citizens of said county to assess the damages so sustained; who shall, after being duly sworn, and giving reasonable notice to the parties of the time and place of meeting, award the amount of damages sustained, and report the same to said court, which, if confirmed by said court, shall be paid by the party or parties against whom the award is so made, within thirty days thereafter, and in default thereof, the right to occupy the landing, roads, et cetera, shall cease, until the same is paid; the court shall also award the petitioner such costs for the expense of viewers, et cetera, as it may deem reasonable.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 395.

AN ACT

For the relief of Margaret Pollock, widow of Samuel Pollock, formerly widow of Thomas Henan, an old soldier

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to Hannah Pollock, of Lawrence county, the widow of Samuel Pollock, formerly widow of Thomas Henan, an old soldier, deceased, or to her order, an annuity of forty dollars during her natural life, commencing with the first day of January, one thousand eight hundred and sixty-two, and payable half yearly thereafter, on the first days of July and January.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 396.

A SUPPLEMENT

To an act to regulate the dealing in second hand and old iron, brass and other metals, in the county of Schuylkill, and to suppress the pilfering thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person or persons violating any of the provisions of the act to which this is a supplement, shall be guilty of a misdemeanor, and when convicted thereof, on trial, by indictment, therefor, in the court of quarter sessions of the county of Schuylkill, shall be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment, in the jail of said county, not exceeding three months, or both, or either, at the discretion of the court.

Penalty for violation of the provisions of original act.

SECTION 2. That on the conviction of any person or persons, of violating the provisions of the said act, to which this is a supplement, the sum of ten dollars shall be taxed and charged as part of, and in addition to, the ordinary costs of prosecution, for the use of, and to be paid to, the prosecutor of the person so convicted, and the party so convicted shall be sentenced to pay the costs of prosecution: *Provided*, That nothing herein contained shall be construed to disqualify the prosecutor, as a witness on the part of the commonwealth, in such prosecution.

Certain sum to be paid to prosecutor.

Costs of prosecution. *Proviso.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 397.

AN ACT

To refer the Claim of B. F. Appold and Company, for damages sustained upon the Philadelphia and Columbia Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

LAWS OF PENNSYLVANIA,

the auditor general be and is hereby authorized and required to examine the claim of B. F. Appold and Company, for damages sustained on the Philadelphia and Columbia railroad, and report the amount due by the commonwealth, if any, to the state treasurer, who is hereby authorized and required to pay the same, out of any money in the treasury not otherwise appropriated.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 398.

A SUPPLEMENT

To an act passed the thirteenth day of January, one thousand eight hundred and ten, entitled "An Act to incorporate the Bible Society of Philadelphia," the name, style and title of the said society having been, by a supplement to the said act, passed the seventh day of March, one thousand eight hundred and forty, changed to the Pennsylvania Bible Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of managers of the said Pennsylvania Bible society shall have the right and power to nominate and appoint any person or persons a life director of the said society, with the privilege of attending and voting at all meetings of the board of managers, upon the payment at one time of the sum of one hundred dollars, or if previously a life member, of the sum of seventy dollars.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 399.

AN ACT

Relative to a certain Road in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the road laid out and opened by Wallace and Blakely, the Sharpsburg bridge company, C. F. Spang and others, and now occupied as a public road between the bridge across the canal, near the north end of the Sharpsburg bridge and the Allegheny and Butler plank road, be and the same is hereby declared a public highway, and shall be subject to the supervision, and be repaired as roads, which are opened and laid out by order of court.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 400.

AN ACT

To enable the citizens of the borough of Shelocta, in Indiana county, to elect three additional School Directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That at the first election to be held, after the passage of this act, for school directors in the borough of Shelocta, the legal voters of said borough shall elect three persons, in addition to the number at present authorized, to serve as school directors; and at the said first election they shall elect two persons to serve for three years, one to serve for two years, and one other to serve for one year, and which several terms of office shall be desig-*

LAWS OF PENNSYLVANIA,

nated on the tickets voted ; and thereafter the said voters shall elect two persons to serve as school directors, for three years, as in other school districts.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 401.

A N A C T

To authorize a settlement of the Claim of Thomas Keating.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, attorney general and state treasurer be and they are hereby authorized and required to examine and adjust the claim of Thomas Keating against the commonwealth, for damages done his property in the town of Columbia, Lancaster county, and report the amount due him, if anything, to the state treasurer, who is hereby authorized and required to pay the same out of any moneys in the treasury not otherwise appropriated.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 402.

AN ACT

To incorporate the Frankford and Philadelphia Railway Company of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Wriggins, John G. Whelan, John E. Wootten, George W. Geisse, Francis S. Buckius, Edwin T. Duffield, Samuel D. Harper, Jonathan Brooke, Samuel D. Sidebotham, Hiram Stanhope, James Burns, Samuel Wakeling, Ephraim F. Leake, William J. Fries, Thomas S. Foulkrod, William Baldwin, Rudolph Adams, William P. Cooper, Joseph H. Comly, Charles Williams and Simon R. Snyder, or a majority, or any five of them, be and they are hereby constituted and appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Frankford and Philadelphia Passenger railway company of the city of Philadelphia, with power and authority to lay out and construct a railroad, with a single or double track, upon such portions of the hereinafter described route as the said company shall deem proper; beginning at the terminus of the Second and Third Streets railway, at or near Frankford road and Lehigh avenue, in the Nineteenth ward of the city of Philadelphia; thence extending northwardly along said Frankford road and the Frankford and Bristol turnpike road to Mill street, in the late borough of Frankford; thence eastwardly along said Mill street to Paul street; thence northwardly along said Paul street to Frankford street, or the Frankford and Bristol turnpike road; thence northwardly along said Frankford street, or the Frankford and Bristol turnpike road, to Harrison street; and thence southwardly down the said Frankford street and the Frankford and Bristol turnpike road, through the late borough of Frankford to the place of beginning: *Provided*, That horse locomotion shall be used exclusively for the purpose of transporting cars over said road.

Commissioners.

Authorized to construct road.

Route.

Proviso.

SECTION 2. That the capital stock of the said company shall consist of one thousand shares, of fifty dollars each, providing that the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock, if it should be deemed necessary, to an amount not exceeding two thousand shares, for the purpose of completing, equipping and extending said railroad; the said company shall have the power of borrowing any sum of money, not exceeding in amount one half of their capital stock, at a rate of interest, not exceeding seven per centum per annum, and to secure the payment of the same by the issue of the bonds and mortgages of the said railroad, together with the corporate rights and franchises granted by this act, and to annex to the

Capital stock.

May borrow money.

Bonds and mortgages, relative to

	said bonds and mortgages the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders, if they shall signify their election, one year before their maturity: <i>Provided</i> , That the said company shall issue no certificate of loan of a less denomination than one hundred dollars.
Provided.	
To pay a tax to city of Philadelphia, when dividends exceed six per centum.	SECTION 3. That whenever the said company shall declare dividends exceeding the rate of six per centum per annum, in addition to the tax imposed upon them by the general laws of their capital stock, they shall pay into the treasury of the city of Philadelphia, for the use of the said city, a tax of six per centum of the excess of dividends above the said rate of six per centum.
To conform to established grades, &c.	SECTION 4. That the said company, in constructing said railroad, shall conform to the grades, established by councils, of the several streets and avenues traversed by said railroad, and to keep the same in good repair, at the proper expense of the said company, excepting such portions of the Frankford and Bristol turnpike road as are not now graded; and that the said railroad company shall have the privilege of laying their tracks in the present bed of the said turnpike road, until such time as the same shall be graded and paved by the said city of Philadelphia; and as to damages which may be claimed by the said Frankford and Bristol turnpike company, for or by reason of laying the said railroad along the said turnpike road, if the said companies cannot agree upon satisfactory terms and conditions, such damages shall be assessed by three disinterested persons, neither of whom shall be stockholders in either of the said companies, and who shall be appointed by the court of common pleas of the city of Philadelphia for that purpose, subject to an appeal by either party to said court.
Exception.	
May lay track in bed of certain turnpike.	
Damages for same, how assessed, &c.	
Right to cross and connect with other roads.	SECTION 5. That the said railway company shall have the right to cross, at grade, any railroad that is now, or that hereafter may be built within the limits of the city of Philadelphia, and to connect with any passenger railway within the said city.
Companies may agree as to use of parts of each other's roads	SECTION 6. That the said railway, on the route described, shall be subject to the use of any part or parts thereof by any passenger railway company, for the purpose of completing a route or circuit, upon such conditions as may be agreed upon by such other railway company and the said Frankford and Philadelphia Passenger railroad company; and the said Frankford and Philadelphia Passenger railway company shall have the right and privilege of using the tracks of any railway in the city of Philadelphia, for the purpose of completing a route or circuit, upon such terms and conditions as may be agreed upon by the said Frankford and Philadelphia railroad company and such other railway companies; and in case said companies cannot agree upon such terms and conditions as aforesaid, then upon the payment of one half the value of such portions as may be used by them, and one half the expense of keeping the same in repair, the same to be assessed by three disinterested persons, neither of whom shall be stockholders in either of the said companies, and who shall be appointed, by the court of common pleas of the city of Philadelphia, for that purpose, subject to an appeal by either party to said court.
Terms and conditions.	

SECTION 7. That the officers of the said company shall consist **Officers.** of a president and eight directors, to be elected annually, on the first Monday of January, to serve for a term of one year, in accordance with the provisions of the general railroad laws.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 403.

A FURTHER SUPPLEMENT

To the several acts heretofore passed relating to the Union Canal Company of Pennsylvania.

WHEREAS, It hath been represented to the legislature, that a **Preamble.** very large majority of the bondholders of the Union canal company of Pennsylvania, who are secured by the first mortgage of that corporation, dated the twenty-third day of August, one thousand eight hundred and fifty-three, for the sole and exclusive purpose of entirely freeing the said corporation from all indebtedness or obligation, save its funded or first mortgage debt, have expressed their willingness to contribute, for distribution among the general creditors thereof, such amount of the over-due and unpaid coupons annexed to their respective bonds, to be taken, held, treated and considered as bonds of the said corporation, bearing date, and issued November first, one thousand eight hundred and sixty-one, with coupons for the interest thereon, at six per cent. per annum, payable semi-annually, after the first day of November, one thousand eight hundred and sixty-one, thereto attached, and entitled, after the said first day of November, one thousand eight hundred and sixty-one, equally and rateably with the bonds of the said corporation, authorized by law, and heretofore issued to the amount of two millions five hundred thousand dollars, to all the privileges, benefits and advantages of the said first mortgage of the said corporation, dated the twenty-third day of August, one thousand eight hundred and fifty-three, as may be necessary to settle or arrange the claims of the said creditors; and that the said creditors are

willing to receive the same in settlement or arrangement of their respective debts and claims; and that the stockholders of the said corporation are content, in consideration of the foregoing, to unite with the said bondholders, and to the creditors, who shall have received coupons in settlement of their claims, as aforesaid, the management and control of the affairs of the said company, without impairing or in any wise affecting the prior lien or security of the aforementioned and referred to first mortgage of the said corporation; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That

The Union canal company authorized to substitute, for coupons, bonds with semi-annual coupons, in settlement of claims of general creditors.

it shall and may be lawful for the said Union canal company to make and issue, to such of the said general creditors as may agree to receive coupons in settlement or arrangement of their respective claims, as aforesaid, in lieu of the coupons so received by them, bonds, bearing date May first, one thousand eight hundred and sixty-one, with coupons for the interest thereon, at six per cent. per annum, payable semi-annually, after the first day of May, one thousand eight hundred and sixty-one, thereto attached, the principal of which shall become due and payable at the same time as the bonds heretofore issued and secured by the said mortgage; and the holders of the bonds so substituted for coupons, shall be entitled, on and after the first day of May, Anno Domini one thousand eight hundred and sixty-one, equally and rateably with the holders of the first mortgage bonds of the said corporation, authorized by law, and heretofore issued, to the amount of two millions five hundred thousand dollars, to the benefit and protection of the first mortgage of the said corporation, dated the twenty-third day of August, Anno Domini one thousand eight hundred and fifty-three, both as to the principal thereof and the interest accruing thereupon: *Provided however,* That the whole amount of bonds thus made and issued, shall not exceed the sum of five hundred thousand dollars, and that the coupons so, as aforesaid, contributed, or the bonds issued in lieu thereof, shall have no legal or equitable right or claim to the payment of any interest thereon by the said corporation, or under the provisions of any trust created by the said corporation, prior to the first day of May, Anno Domini one thousand eight hundred and sixty-one; but that semi-annual interest on the said contributed coupons or substituted bonds, with semi-annual coupons attached, at the rate of six per cent. per annum, shall be paid, on and after the first day of November, Anno Domini one thousand eight hundred and sixty-one, equally and rateably with the interest or semi-annual coupons of the bonds of the said corporation, authorized by law, heretofore issued, to the amount of two millions five hundred thousand dollars, and secured by the aforesaid first mortgage of the said corporation, heretofore accrued or due, or hereafter falling due or accruing, out of the net income, revenues or profits of the said corporation, accruing after the first day of May, Anno Domini one thousand eight hundred and sixty-one: *Provided always,* That there shall, at no time, be any coupons paid or payable otherwise than out of and from the clear net income and profits of the business of

Holders of said bonds to be entitled to benefit of first mortgage.

Limitation.

Interest, when and how payable

Net income to be received in full consideration for coupons.

the corporation; and the said net income and profits shall be received in full consideration for its coupons falling due.

SECTION 2. That at all elections and meetings of the said corporation, to be held after the acceptance by it of the provisions of this act, as hereinafter provided, the right of voting shall be vested in the stockholders, the bondholders secured by the said mortgage, and in such persons as shall have received or hold bonds in lieu of coupons, under the provisions of the first section of this act; and each of the said bondholders shall be entitled to give one vote for every fifty dollars of loan held by him, at all such elections or meetings of the said corporation; and while the said bond debt of the said corporation, secured by the aforesaid first mortgage, bearing date August twenty-third, Anno Domini one thousand eight hundred and fifty-three, remains unsatisfied, the president, manager, secretary and treasurer of the said corporation must possess the qualifications for eligibility, of owning, and continuing to own, during their term of office, a first mortgage bond of said corporation, to the value of at least five hundred dollars: *Provided nevertheless*, That the exercise of such right of voting, by the said bondholders, or any any of them, as hereinbefore authorized or conferred, shall in no way or manner whatever, be held, deemed or construed to affect, alter or impair, in any wise, the prior liens or security of the hereinbefore mentioned or referred first mortgage, held or possessed by the said bondholders, or any of them, but that such mortgage, lien or security shall remain wholly unaffected and unimpaired by such act of suffrage, or any other act under or by virtue of the provisions of this act, on the part of the said bondholders, or any of them, or by any act of the officers or managers of the said corporation so, as aforesaid, elected by them.

Right of voting,
in whom vested.

Qualifications of
officers.

First mortgage
not to be affected
by such act of
suffrage or any
act of officers.

SECTION 3. That it shall and may be lawful for the managers of the said corporation, to call a general meeting of the stockholders and of the holders of bonds, now secured by the said mortgage, as soon after the passage of this act as they shall deem expedient, and upon the notice now required for convening meetings of the stockholders; and the said meeting, or any adjourned meeting therefrom, (the said stockholders and the bondholders so secured, acting and voting thereat as separate bodies,) may, by a majority of the votes of each body, to be taken and counted as provided in the second section hereof, enter into an agreement, providing for the carrying out of the provisions of this act, and for the settlement of the affairs and liabilities of the said corporation, on such terms and conditions, not inconsistent with the provisions of this act, as may appear to them just and equitable, which agreement shall be binding on the said corporation, and on all such of the said last mentioned bondholders as shall signify their assent, in writing, thereto; and in case any such bondholder shall fail to file, with the president of the said corporation, his or her refusal, in writing, to concur in the said agreement, within three months from the date thereof, such bondholder shall be taken to have agreed to the same; and in case any such bondholder shall refuse, in writing, to concur in the said agreement, such persons as may have received bonds, in lieu of coupons, under the first section of this act, and

Managers to call
meeting.

Notice.

A majority of
stockholders and
bondholders, vot-
ing separately,
may enter into
an agreement.

Nature and effect
of.

Notice of agree-
ment to be pub-
lished.

Bondholders ab-
sent to express
assent or dissent
within three
months.

Persons holding
stock or bonds in
trust may con-
sent to agree-
ment.

When property
and franchises to
revert in the cor-
poration.

Subject to.

Discharge of
trustees.

When this act to
take effect.

all other persons who may have taken interests under, or acted on the faith of such agreement, shall not be prejudiced by having so done; and all new evidences of indebtedness, held or taken by them, shall be deemed to represent their respective original claims and demands, in all their legal positions and rights, so that in any ultimate settlement of the liabilities of the corporation, either in full or *pro rata*, they shall be considered, as against such refusing bondholders, restored to their original positions and rights, and no advantage shall be given, to any refusing bondholder, over them: *Provided however*, That the said corporation shall, as soon as practicable after the making of the said agreement, publish, in at least two daily newspapers of the city of Philadelphia, at least three times a week, for the period of four weeks, a notice, stating that an agreement had been formed, on the day of the date of the said agreement, between the stockholders and first mortgage bondholders of the company, for the adjustment of the affairs thereof, and calling upon such bondholders as had not taken part therein, to express, in writing, their assent to the same, or their dissent therefrom, on or before the expiration of the three months above mentioned.

SECTION 4. That all persons, holding either stock or bonds of the said corporation, secured as aforesaid in any fiduciary or representative capacity, are hereby authorized to consent to the said agreement, and to carry out the provisions thereof, so far as concerns the trust property in their charge, should they deem it to the interest of their trust so to do.

SECTION 5. That whenever the said corporation shall have expressed its acceptance of the provisions of this act, and two-thirds in value of the bondholders, secured by the said first mortgage, shall have given their assent to the agreement in the third section of this act mentioned, then all the estate and property, real and personal, and all the franchises and corporate privileges, which the said corporation, by indenture, dated the twenty-eighth day of October, Anno Domini one thousand eight hundred and fifty-seven, recorded in the office of the recorder of deeds of Dauphin county, in mortgage book N, page two hundred and two, et cetera; in that of Lebanon county, in mortgage book B, page seven hundred and ninety-nine, et cetera; in that of Berks county, in mortgage book W, page seven hundred and nine; and in that of Schuylkill county, in mortgage book N, page ———, granted and conveyed to J. Rodman Paul, R. Rundle Smith and Oscar Thompson, and to the survivors and survivor of them, and to their heirs, executors, administrators or assigns of such survivor, in trust for the uses and purposes therein particularly set forth, shall immediately revert in the said corporation, its successors and assigns forever, under and subject, nevertheless, to the several trusts set forth in the said indenture, except as modified or controlled by the provisions of this act; and the said J. Rodman Paul, R. Rundle Smith and Oscar Thompson, trustees as aforesaid, shall thereupon re-convey the legal title of the said estate and franchises, to the said corporation, and upon the final settlement of their accounts, may be discharged from their office or trust, as in other cases.

SECTION 6. That this act shall not go into effect until its provisions shall have been accepted by the said corporation, at a

general meeting of the stockholders, called in accordance with law.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 404.

AN ACT

Relative to the Railroad indebtedness of the city of Allegheny.

WHEREAS, The select and common councils of the city of Allegheny, have offered to the holders of the railroad bonds issued by the said city to the Ohio and Pennsylvania railroad company, terms of compromise of their indebtedness of said city upon their railroad bonds, so as aforesaid, by said city, issued: Now for the purpose of enabling the said councils to carry into force and effect their said offer of compromise, and for the security of such of the holders of said railroad bonds as may accede to the terms of said offer of compromise and accept the same:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Allegheny, be and they are hereby authorized to issue new bonds, to an amount not exceeding four hundred thousand dollars, of the denomination of one thousand dollars each, bearing four per cent. interest, payable semi-annually, at such places as may be agreed upon by the said councils and the parties accepting the same, with coupons attached to cover the interest thereon for fifty years; the said bonds to be irredeemable, except at the pleasure of said city, otherwise than by the operation of a sinking fund hereinafter provided to be created. The said new bonds thus authorized to be issued, to be given to such holders of the railroad bonds heretofore issued by said city, as aforesaid, as may signify their willingness to accept the said offer of compromise, bond for bond, in full payment, satisfaction and extinguishment of the said railroad bonds held by them. The said new bonds hereby authorized to be issued, to bear date as of January first, Anno Domini one thousand eight hundred and sixty-two.

Preamble.

Councils authorized to issue new bonds in lieu of those issued to the Ohio and Pennsylvania railroad comp'y.

Coupons.

Consent of bondholders necessary.

Date of bonds.

Councils to levy tax annually for paying interest and creating a sinking fund.

Amount.

How to be appropriated.

Cancellation of new bonds, &c.

May increase sinking fund by appropriating thereto any surplus funds in treasury.

Purchase of new bonds by city, regulated.

Annual revenue raised for payment of interest not to be diverted.

SECTION 2. That for the purpose of promptly meeting the interest on the new bonds hereby authorized to be issued, and for the creation of a sinking fund for the ultimate liquidation and payment of said new bonds, a tax shall be laid, annually, by the said councils, sufficient to produce the sum of twenty thousand dollars for each and every year, until the said new bonds are entirely lifted and paid; the said sum of twenty thousand dollars per annum shall be kept separate and apart from all other funds of said city, and shall not be appropriated by any action of councils, or by any attachment or other legal process, from the following uses, to wit: Out of said sum of twenty thousand dollars shall be first paid the interest on the outstanding new bonds, issued by virtue of this act; the balance or residue of said sum of twenty thousand dollars shall then be applied to the redemption and cancellation of new bonds, issued by virtue hereof: *Provided*, That all bonds purchased for the said sinking fund shall be forthwith cancelled, and a register of bonds so cancelled shall be kept; the cancellation shall be effected by writing, in red ink, across the face of each cancelled bond, the fact of such cancellation, and the date thereof; the seal shall be crossed with black ink, and the signatures with red ink, and each coupon shall be punched with two or more holes.

SECTION 3. That it shall be lawful for the said councils, from time to time, to increase the said sinking fund, by appropriating to the same any surplus funds, moneys or revenues remaining in or payable to the treasury, not required for the ordinary expenditures of the city; the sinking fund created by this act shall be, at least once in every year, invested, by the finance committee of councils, in the purchase of the new bonds hereby authorized to be issued, at the lowest rates the same can be procured; if none should be offered nor obtained at rates below par, then the city shall pay off the outstanding new bonds, at par, in rotation of numbers, beginning at the lowest number outstanding; and in the event of such bond or bonds not being surrendered, after six weeks advertising of the number or numbers to be paid, then the city shall deposit the money therefor in a bank, in the county of Allegheny, and the bond or bonds, so advertised for, shall cease to draw interest thereon, and the holder or holders of such bond or bonds shall look only to the deposit for payment of his, her or their bond or bonds; said advertising to be made in two newspapers published in the city of Pittsburg, one in Philadelphia, and one in New York city.

SECTION 4. That so much of the annual revenue hereby provided to be raised, for the payment of interest on said new bonds, as aforesaid, as may not at the time be required for the payment of interest on the said new bonds hereby authorized to be issued, shall go into and become a part of the sinking fund hereby provided for, there to remain, until by reason of the acceptance of the said offer of compromise by other holders of the said railroad bonds of said city, the same shall be required for the payment of interest on the new bonds accepted by them, from the date of said new bonds, and shall in no event be used for or appropriated to any other purposes whatever.

SECTION 5. That all other necessary powers are hereby given to the said councils of the city of Allegheny, and to the holders of said railroad bonds, whether for their own use, or in trust, to consummate the said compromise as offered by the said councils. All powers necessary to consummate compromise conferred.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 405.

AN ACT

Confirmatory of the conveyances of Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all deeds and conveyances of lands within this commonwealth, made and executed, and duly recorded in the county where the lands therein conveyed lie, more than twenty-one years before the passage of this act, under the authority of any last will and testament, by the executor or executors thereof, the said will having been duly proved, and letters testamentary granted, as prescribed by the laws of the state of which the testator was a citizen at the time of his death, shall be held to have the same force and effect to pass and convey the estate that was in the testator at the time of his decease, and intended to be conveyed by the deed or conveyance, as if such will had been duly proved and letters testamentary granted within this commonwealth: *Provided,* That nothing herein contained shall affect the rights of parties to any suit now pending.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 406.

A FURTHER SUPPLEMENT

To the act, entitled "An Act relating to the lien of Mechanics and others," passed the sixteenth day of June, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where a claim is now filed, or shall hereafter be filed, under the provisions of the law to which this is a supplement, in which too many persons are, by mistake, included as claimants, owners or reputed owners, contractors, architects or builders, it shall be lawful for the court of common pleas of the proper county, and the district court of the proper district, having jurisdiction, in which such claim shall be filed, to permit an amendment of the same, by striking thereout the names of all such persons as may, by mistake, be included therein: *Provided,* That nothing in this section shall be construed or held to apply to cases, in which verdicts or judgments have been or may be entered prior to the passage hereof.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 407.

AN ACT

For the relief of the sureties of Stephen Drake, late treasurer of Pike county.

WHEREAS, Stephen Drake, late treasurer of Pike county, settled his account with the state, in the year one thousand eight hundred and forty-eight:

And whereas, By reason of an error, committed by one of the officers of the commonwealth, a certain item was omitted in the settlement, which had been properly returned to the auditing department:

And whereas, At a date, eleven years after said settlement, when the said Drake and one of his sureties had been long since deceased, and their estates distributed, the only surviving surety was sued for the balance aforesaid, and judgment had against him; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That sureties of Stephen Drake, late treasurer of Pike county, be and are hereby released from any liability to the commonwealth as sureties.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 408.

A SUPPLEMENT

To an act, entitled "An Act to enable Joint Tenants, Tenants in Common, and adjoining owners of Mineral Lands in this Commonwealth, to manage and develop the same," passed the twenty-first day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for any corporation, erected under the act to which this act is supplementary, and its several supplements, to extend the time of the duration of such corporation for any term not exceeding twenty years, from the day upon which any such company was incorporated; and it shall also be lawful for any such company to increase its capital, to any amount not exceeding five hundred thousand dollars.

Corporations created under provisions of certain acts may extend charters and increase or diminish capital.

SECTION 2. That whenever any company, incorporated under the provisions of the act to which this supplementary, and its several supplements, shall desire to call a meeting of the stockholders thereof, for the purpose of increasing or diminishing the amount of its capital stock, or of extending its charter, it shall be the duty of the directors to publish a notice, signed by at least a majority of them, in at least two newspapers, printed in the county where the operations of such company shall be carried on, if so many are printed therein, and if not, then in

Directors to publish notice of meetings for that purpose.

Notice to be addressed to each stockholder.

two newspapers printed in adjoining counties, once a week, during three successive weeks, and to deposit a written or printed copy thereof in the post office, addressed to each stockholder, at his usual place of residence, at least two weeks previous to the day designated for holding such meeting; which notice shall specify the object of such meeting, the time and place when and where such meeting shall be held, and the amount to which it is desired to increase or diminish the capital of such company, or the time to which it is proposed to extend the charter of such corporation.

Organization of the meeting.

SECTION 3. That if, at the time and place specified in the notice provided for in the preceding section, stockholders shall appear in person, or by proxy, representing not less than two-thirds of all the shares of the stock of the corporation, they shall organize, by choosing one of the directors, if present, and if not, then one of the stockholders, as chairman of the meeting, and some suitable person as secretary, and the chairman shall

Voting, how conducted.

appoint two of the stockholders present to act as tellers, when they shall proceed to a vote of those present, in person or by

Two-thirds of all shares necessary to be voted in favor.

proxy; and if, on canvassing the votes given, it shall appear that the holders of two-thirds of all the shares composing said capital, have voted in favor of increasing or diminishing the amount of the capital stock, or of extending the charter of such

Certificate of proceedings to be made out, signed, certified and recorded.

corporation, then, and not otherwise, a certificate of the proceedings shall be made out, showing a compliance with the provisions of this act, the amount of capital paid in, and the amount to which the capital shall be increased or diminished, or specifying the time to which the charter of such corporation is extended, as the case may be, which certificate shall be signed by the said chairman, secretary and tellers, verified by their respective oaths or affirmations, and which, so signed and verified, shall be recorded, and a certified copy thereof filed in the office of the secretary of the commonwealth; and when so recorded and filed, the capital stock of such corporation shall be increased or diminished to the amount specified in such certificate, or the charter of such corporation shall be extended for such time as is specified in such certificate, as the case may be.

Certified copy of same to be filed in office of secretary of state.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 409.

AN ACT

To re-organize the Congressional Districts of Pennsylvania, in accordance with the act of Congress, approved March fourth, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of electing representatives of the people of Pennsylvania, to serve in the House of Representatives in the Congress of the United States, this state shall be divided into twenty-four districts, as follows:

I. Second, Third, Fourth, Fifth, Sixth and Eleventh wards, in the city of Philadelphia.

II. First, Seventh, Eighth, Ninth and Tenth wards, in the city of Philadelphia.

III. Twelfth, Thirteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth wards, in the city of Philadelphia.

IV. Fourteenth, Fifteenth, Twentieth, Twenty-first and Twenty-fourth wards, in the city of Philadelphia.

V. Twenty-second, Twenty-third and Twenty-fifth wards, in the city of Philadelphia, and the county of Bucks.

VI. Montgomery and Lehigh counties.

VII. Chester and Delaware counties.

VIII. Berks county.

IX. Lancaster county.

X. Schuylkill and Lebanon counties.

XI. Northampton, Carbon, Monroe, Pike and Wayne counties.

XII. Luzerne and Susquehanna counties.

XIII. Bradford, Wyoming, Sullivan, Columbia and Montour counties.

XIV. Northumberland, Union, Snyder, Juniata and Dauphin counties.

XV. Cumberland, York and Perry counties.

XVI. Adams, Franklin, Fulton, Bedford and Somerset counties.

XVII. Cambria, Blair, Huntingdon and Mifflin counties.

XVIII. Centre, Clinton, Lycoming, Tioga and Potter counties.

XIX. Erie, Warren, M'Kean, Forest, Elk, Cameron, Jefferson and Clearfield counties.

XX. Crawford, Venango, Mercer and Clarion counties.

XXI. Indiana, Westmoreland and Fayette counties.

XXII. Allegheny county, south of the Ohio and Allegheny rivers, including Nevel island.

XXIII. Allegheny county, north of the Ohio and Allegheny rivers, and Butler and Armstrong counties.

XXIV. Lawrence, Beaver, Washington and Greene counties.

SECTION 2. That the several elections held under this act, and the returns made, shall be in conformity with the second and third sections of the act to divide the state into congressional districts, for the election of representatives in the Congress of the United States, approved May first, Anno Domini one thousand eight hundred and sixty-one.

SECTION 3. The judges of the First, Second, Third and Fourth districts shall meet at the state house, in the city of Philadelphia.

The judges of the Fifth district shall meet at the court house in Doylestown, in the county of Bucks.

The judges of the Sixth district shall meet at the court house in Norristown, in the county of Montgomery.

The judges of the Seventh district shall meet at the court house in West Chester, in the county of Chester.

The judges of the Eighth district shall meet at the court house in Reading, in the county of Berks.

The judges of the Ninth district shall meet at the court house in Lancaster, in the county of Lancaster.

The judges of the Tenth district shall meet at the court house in Pottsville, in the county of Schuylkill.

The judges of the Eleventh district shall meet at the court house in Stroudsburg, in the county of Monroe.

The judges of the Twelfth district shall meet at the court house in Wilkesbarre, in the county of Luzerne.

The judges of the Thirteenth district shall meet at the court house in Tunkhannock, in the county of Wyoming.

The judges of the Fourteenth district shall meet at the court house in Lewisburg, in the county of Union.

The judges of the Fifteenth district shall meet at the court house in Carlisle, in the county of Cumberland.

The judges of the Sixteenth district shall meet at the court house in Chambersburg, in the county of Franklin.

The judges of the Seventeenth district shall meet at the court house in Hollidaysburg, in the county of Blair.

The judges of the Eighteenth district shall meet at the court house in Lock Haven, in the county of Clinton.

The judges of the Nineteenth district shall meet at the court house in Warren, in the county of Warren.

The judges of the Twentieth district shall meet at the court house in Franklin, in the county of Venango.

The judges of the Twenty-first district shall meet at the court house in Greensburg, in the county of Westmoreland.

The judges of the Twenty-second district shall meet at the court house in the city of Pittsburg.

The judges of the Twenty-third district shall meet at the court house in Butler, in the county of Butler.

The judges of the Twenty-fourth district shall meet at the court house in Beaver, in the county of Beaver.

SECTION 4. That so much of the act of first of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to divide the state into congressional districts for the election of representatives in Congress of the United States," as is

inconsistent with the provisions of this act, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 410.

AN ACT

Incorporating Commissioners of the Rouse estate, in Warren county.

WHEREAS, By the provisions of the last will and testament of Henry R. Rouse, deceased, late of Warren county, all of the estate of said Rouse, after payment of debts and legacies, was bequeathed to the commissioners of the county of Warren, in trust, that the interest thereof should be expended, the one-half for the use of the poor of the county of Warren, and the one-half for the use of the roads of said county, and doubts having arisen as to the validity of said bequest, Samuel D. Rouse, the party entitled to the whole of said estate, under the intestate laws of this commonwealth, did by deed convey all his interest in said estate to one Myron Waters, in trust, that after the said Waters was fully paid the moneys expended and the obligations incurred, and his reasonable compensation, he should convey said estate to the commissioners of the county of Warren, for the uses and purposes named in the said will; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Warren, and their successors in office, be and they are hereby made a body corporate, under the name, style and title of Commissioners of the Rouse estate, and by that name to have perpetual succession, and a corporate seal, and to sue and be sued, and hold real and personal estate, for the uses and purposes named in the bequest of said Rouse to said commissioners.

SECTION 2. That said corporation are hereby authorized to receive from the said Myron Waters, his heirs and assigns, at such time as he shall be indemnified, and paid the moneys expended and obligations incurred by him, and his reasonable compensation, a conveyance of the residue of said estate, and

Preamble.

Commissioners of Warren county incorporated as commissioners of the Rouse estate.

Authorized to receive from Myron Waters conveyance of residue of estate.

- How to be held.** to hold the same under the said conveyance, and under said will for the uses and purposes named in said will.
- Corporation may sell whole or part of same.** SECTION 3. That whenever the said estate shall be conveyed by said Waters, his heirs or assigns, or whenever the said commissioners shall, under the provisions of the deed of Samuel D. Rouse to said Waters, be entitled to a conveyance, then the said corporation shall have power to make sale, in fee simple, of the whole or any part thereof, at any time when, in the discretion of said commissioners, the interest of said estate may require, and to execute deeds, under the official seal of said corporation, to the purchaser or purchasers: *Provided*, That no sale of the real estate shall be made by said corporation until at least two months' notice shall be given, by publication in all the papers of the counties of Warren and Venango, of the time, place and terms of said sale.
- Notice to be given.**
- Terms of sale.** SECTION 4. That said corporation shall have power to make the sales provided for in the preceding section, upon credit, if deemed advisable, and to receive from the purchasers such securities as may be given, and to hold and collect the same.
- How proceeds of sale to be invested.** SECTION 5. That no portion of the moneys or securities realized from the sale of said estate shall at any time be expended, except the interest thereon, but the same shall be invested by the said commissioners, and secured by judgment, bond and mortgage, upon unincumbered improved real estate in said county, to be taken in the name of the corporation, and bearing interest, payable at such times as may be stipulated for in such bonds and mortgages.
- Interest to be expended for purposes named in will.** SECTION 6. That the interest arising from said estate, from the securities that may be taken on the sale thereof, shall be expended by the said corporation for the purposes named in said will, under such regulations as to said commissioners may seem just and equitable.
- When commissioners may assume the support of the poor.** SECTION 7. That whenever the funds arising from said estate will, in the opinion of said commissioners, justify the same, and whenever the overseers of the poor of the several districts, embracing more than one half of the taxables and taxable property of the county, shall certify to said commissioners the expediency thereof, the said commissioners are authorized to assume the support of the poor of the county of Warren, with the same powers, within the said county, as the overseers of the poor now have in their respective districts; and that from thenceforth the office of overseers of the poor, in said county, shall cease and determine, and that the laws now regulating the support and maintenance of the poor of said county, shall, so far as the same are applicable, govern the said commissioners.
- Office of overseers to cease, &c.**
- Treasurer to be appointed.** SECTION 8. That the said corporation shall appoint a treasurer, who shall give bond, with sureties, in such sum as the said commissioners shall determine, for the safe keeping of the funds of said corporation, and for the faithful discharge of his duties as treasurer, which bond shall be approved by the court of common pleas of said county.
- Clerk.** SECTION 9. That said corporation shall appoint a clerk, whose duty it shall be to keep a true and full record of the proceed-

ings of said corporation, which record shall at all times be open to the inspection of the public.

SECTION 10. That all orders upon the treasurer shall be signed by at least two of said commissioners, and attested by the clerk. Orders upon the treasurer.

SECTION 11. That it shall be the duty of the county auditors of said county, at the time of auditing the accounts of the treasurer and commissioners of the county, to audit the accounts of the commissioners and treasurer of the corporation, and make report thereof, which said report shall be published, as by law the reports of the county auditors are published. County auditors to audit accounts and make report.

JOHN ROWE,
Speaker of the House of Representatives.

G. V. LAWRENCE,
Speaker of the Senate pro tem.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 411.

A FURTHER SUPPLEMENT.

To an act, entitled "An Act to incorporate the Second and Third Street Passenger Railway Company, of Philadelphia," approved the tenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the provisions of the said act to which this act is a further supplement, and of any other act of assembly, as may be construed to authorize any other railroad company to use or run their cars over or upon the railroad of the said Second and Third Street Passenger railway company, of Philadelphia, without their consent, be and the same is hereby repealed: *Provided,* That nothing herein contained shall be so construed as to affect any rights that the Fairmount and Arch Street Passenger railway company, or the Fairmount Passenger railway company, now have to use said Second and Third Street Passenger railway track, nor the corporate rights and privileges of the Green and Coates Street Philadelphia Passenger railway company. Repeal of section authorizing other companies to use their road. Proviso.

SECTION 2. That the said railway company be and are hereby authorized to take up their railway track now laid on Third street, from Oxford street to Norris street, and to discontinue the use thereof; and that the said company be and are hereby authorized to lay out, construct, continue and extend their said railway on Second street, northward, along the said Second Authorized to take up certain part of track and extend road on Second street.

street, from Norris street, to Lehigh avenue, in the city of Philadelphia.

May issue new
stock to amount
of bonds redeemed.

SECTION 3. That in all cases where the said railway company has redeemed, or shall hereafter redeem, any of its bonds, it shall be lawful for the directors to issue new stock, to the amount of the bonds so redeemed, to the stockholders thereof.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 412.

AN ACT

To authorize the President and Directors of the Black Rock Bridge Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the Black Rock bridge company, be and they are hereby authorized to borrow, on the faith and credit of said company, at a rate of interest not exceeding six per centum per annum, a sum not exceeding five thousand dollars, in sums not less than one hundred dollars each, to be applied to the payment of debts due and owing by the said company, for which they are authorized to issue certificates of loan, under their proper seal, signed by the president, and countersigned by the treasurer, of said company.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 413.

AN ACT

To incorporate the Douglass Mutual Live Stock Association, of Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ephraim Fritz, Philip Eagle, Daniel B. Levengood, William Wise, Augustus W. Levengood, Ephraim Wise, Ephraim Yorgey, Henry E. Rhoads, Samuel G. Hatfield, Christian R. Yorgey, David Reinert and Isaac Baker, all of Douglass township, Berks county, and state of Pennsylvania, and such other persons as may hereafter be associated with them, are hereby created and erected into a body politic and corporate, by the name, style and title of the Douglass Mutual live stock association of Berks county, and by that name shall have perpetual succession, and may sue and be sued, and use a common seal, and alter or change the same at pleasure, make all by-laws, rules and regulations, as shall be necessary and convenient for the government of said association, not inconsistent with the constitution or laws of the United States, or of this commonwealth, and generally do all and singular the matters, which to them it shall lawfully appertain to do, for the well being of said corporation and the management of the affairs thereof.

SECTION 2. The twelve persons named in the foregoing section, shall constitute the first board of managers, to carry into effect the provisions of this act of incorporation, and such by-laws as may be made by the said association, and to conduct the business thereof; which business shall be confined to the counties of Berks and Montgomery.

SECTION 3. The power of said association shall be vested in a board of managers, which shall consist of twelve persons, to be chosen by ballot, annually, on the first Monday of March, at the annual meeting of the association; each member shall be entitled to one vote only, and no proxy vote shall be given.

SECTION 4. Each insurer in said association shall be a member thereof, during the term of his or her policy, and no longer.

SECTION 5. A general meeting of the association shall be held annually, on the first Monday of March, at some convenient place, and also whenever called by the board of managers, or requested by twenty members; and the members shall, at such general meeting, pass by laws, make rules and regulations for the government of said association, elect all the necessary officers of the association, or vest the power so to do in the board of managers; the said elections shall be conducted by three judges, chosen by the members present, for that purpose, who shall certify, under their hands, the result of said elections, and the same shall be filed with the papers of the association; all

Corporators.

Title.

Seal.

By-laws.

Privileges.

First board of managers.

Business to be confined to Berks and Montgomery counties.

Election of managers.

Votes.

Insurers to be members.

Annual meeting.

Elections, how conducted.

elections to be by ballot, each member being entitled to one vote, as aforesaid.

Managers to choose officers and fix their salaries.

SECTION 6. The board of managers, unless provision is made at the annual meeting, shall choose, from among their own number, a president and secretary, and whenever necessary, shall appoint some person to act as treasurer, and also such other officers and agents as may be required, and fix their respective fees and salaries, and require such bonds of each officer, for the faithful discharge of the duties assigned, as the interests of the association may require, and shall have power to suspend, remove or displace any officer or agent of the association, and supply all vacancies which may happen, by death, removal or resignation, from among their own members, until the next election; and shall procure a book or books, wherein shall be fairly and legibly entered all the transactions of the said board of managers, which books shall, at all times, be open to the inspection of the members of said association, and a copy of any such transactions, entered upon said books, signed by the president and attested by the secretary, shall be deemed and taken as legal evidence against said association, as the transactions of the said board of managers, and a copy of the same shall be furnished at the request of any member; and said officers shall, at the annual meeting of the members, present to the association a true statement of its affairs.

Bonds to be given.

Vacancies.

Record of proceedings to be kept.

Copy of same to be evidence.

Annual statements.

Insurances.

SECTION 7. The president, secretary and managers shall have full power, on behalf of said association, to make insurance against losses on horses, mules and cattle, either by death or from being stolen, except horses unsound in health, horses kept for livery stable purposes, and boat horses, and to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments as may be required for that purpose; and every such contract, bargain, agreement, policy or other instrument made by the association, shall be signed by the president and attested by the secretary, and shall also be signed by the party whose property is insured; and the president, secretary and managers are hereby empowered to have made and procure a seal, with such device as they may deem proper, to be used by them as the common seal of the association.

Seal.

Dividends not to be made.]

SECTION 8. No money shall be drawn from the funds of said association, for the purpose of making dividends, or dividing profits, nor for other purposes, than first to defray the current or incidental charges of the association, and then for the purpose of paying such damages as any member of the association, or insurer, may be justly entitled to; and when the just demands of any insurer in said association, shall exceed the amount of its available funds, such sum as may be necessary to pay the same, shall, without unnecessary delay, be assessed by the president, secretary and treasurer, or by any three of the board of managers, appointed by the president and secretary, on the insurances, each member to pay in proportion to the amount he has insured; which proportion, or assessment, shall be made known unto each member, by the secretary, after which, all and every member of the association, shall pay into the hands of the treasurer, his, her or their proportionate part of

Assessments for losses authorized

such rates or amount, so assessed, within thirty days from the time the same shall have been made known unto him, her or them, and in default thereof, shall be proceeded against, according to the by-laws of the association. To be paid within thirty days.

SECTION 9. Any person or persons, who shall effect insurance in said association, shall, before he, she or they receives his, her or their policy, deposit for such insurance, his, her or their money, for the amount insured; that is to say, fifty cents per hundred dollars, and also pay, for the policy, the amount fixed by the by-laws of the association. Payments to be made by insurers.

SECTION 10. All and every of the members of said association, who shall sustain any loss of his, her or their insured stock, shall give notice, within twenty-four hours from the time the loss occurs, to three members of the association, best acquainted with the said insured stock; and the three members, so notified, shall make an appraisement, under oath, of the stock lost by such member, or insurer, and make a report of the stock so appraised, and the loss of said insurer, to the board of managers, within five days from receiving said notice; and the board of managers, immediately after receiving said report, and ascertaining the amount of said loss, shall make provision for, and payment of, the same, to the person or persons who shall be entitled thereto, within ninety days from the time of receiving said report. Insurers to give notice of loss. Appraisers, duties of. Report. Payment.

SECTION 11. The members shall, at their general meeting, fix such rates of insurance, and incidental charges and fees, as may be just and equitable, or vest the power so to do in the board of managers. Rates of insurance, fees, &c.

SECTION 12. The by-laws of said association shall not authorize the use of its funds, for any other purpose than the payment of damages sustained by insurers, and the incidental expenses of the association. Use of funds, relative to.

SECTION 13. If any of the members of said association shall sell, or assign, his, her or their whole stock insured, it shall be lawful for such insured to assign and deliver to the purchaser, such policy or contract of insurance, and such assignee, or purchaser, shall have the benefit of such policy or contract of insurance: *Provided*, That before any loss happens, the consent of the president and secretary, to such transfer of said policy or contract of insurance, shall first be obtained; but no policy shall be transferred to the purchaser, in case of a sale of part of any stock insured under said policy, unless such alteration shall first be made in such policy, as the by-laws of said association may require. Transfer of policies authorized. Provide.

SECTION 14. The twelve persons constituting the first board of managers shall have power to organize the association, appoint a president, secretary and treasurer, and other officers and agents, agreeably to the spirit of this act of incorporation, and shall hold their power and authority until the next annual election, as herein provided, with all the power contemplated to be vested in the board of managers elected by the association, under the authority of this act. Organisation.

SECTION 15. Suits at law may be prosecuted and maintained, by any of the members, against the association, for losses or damages sustained on stock insured, if payment of the same is withheld more than ninety days after the association shall have Suits may be brought for recovery of losses.

LAWS OF PENNSYLVANIA,

been duly notified of such losses or damages, as provided in the tenth section of this act.

Annual income. SECTION 16. The yearly value or income of the real and personal estate of said association, shall not exceed two thousand dollars.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 414.

AN ACT

To authorize the Trustees of the Society of Friends, in West Caln township, Chester county, to sell certain Real Estate.

WHEREAS, Evan Lewis, by deed, dated February twenty-second, one thousand seven hundred and forty-seven and forty-eight, and recorded in the recorder's office of Chester county, in deed book S 6, page three hundred and three, did convey to William Sinkler, Peter Babb and Nathaniel White, trustees, and their successors, certain real estate therein described, situate in West Caln township, in said county, containing two acres, for the use of the Society of Friends, as therein set forth :

And whereas, The said Society of Friends at West Caln, are desirous of selling a part of said real estate not needed by them, and purchasing other real estate adjoining, necessary for their greater convenience, and the trustees who hold the title have no authority to sell the same, free from the operation of said trust ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Isaac Yearsley, junior, Thomas White and Nathan Yearsley, trustees of the real estate of the Society of Friends, at West Caln, Chester county, duly chosen as the successors of the trustees named in the above recited deed, agreeably to the provisions thereof, be and they are hereby authorized and empowered to grant, bargain and sell, a certain portion of the real estate aforesaid, adjoining lands of William F. Perdue, recently surveyed off, and containing one hundred and fifty-four and eighty-eight hundredths square perches, and to convey the same to the purchaser thereof, in fee simple, released and forever discharged of all and every the trusts in said deed con-

tained, or otherwise, so that the purchaser shall take the premises so conveyed to him, without any liability on his part to see to the application of the purchase money, and such conveyance shall vest an indefeasible title to the premises so conveyed to the purchaser thereof; and the said trustees shall apply the proceeds as the proper monthly meeting of the said Society of Friends shall direct.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 415.

AN ACT

To incorporate the Pennsylvania Slate and Mineral Paint Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Allan Craig, Reuben Leh, Charles Mendeen, Reuben Gregory, Jno. S. Fisher, Robert Klotz and Oliver Bowman, and such other persons as shall be associated with them, be and the same are hereby created into a body politic and corporate, by the name, style and title of the Pennsylvania slate and mineral paint company, with a capital stock of twenty-five thousand dollars, with power to increase the same to fifty thousand dollars, whenever a majority of the stockholders shall so determine, and which shall be divided into shares of twenty-five dollars each.

SECTION 2. That the affairs of the said company shall be managed by a board of five directors; the first election to be held in the borough of Mauch Chunk, in Carbon county, at such time as a majority of the persons herein named shall appoint, of which notice must be given, to each stockholder, two weeks prior to said election, in one paper published in Carbon county; and the election of officers shall take place annually thereafter, of which election notice shall be given as aforesaid, and all elections shall be by ballot, and every person holding one share of stock shall be entitled to one vote.

SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure, and by the style and title aforesaid, shall be capable, in law, to sue and be sued; and the company may

By-laws.	make all needful rules and regulations and by-laws for the well ordering of the business and affairs of the corporation, and elect such officers and agents as may by them be deemed necessary: <i>Provided</i> , 'That no such by-law or regulations shall in any wise conflict with or be contrary to the laws and constitution of this commonwealth, or the laws and constitution of the United States.
Officers.	
Privies.	
Privileges.	SECTION 4. That the business of said corporation shall be confined to, and the capital thereof shall be employed in searching and quarrying for slate, iron ore, marble and other minerals in the counties of Monroe and Carbon, in the State of Pennsylvania, and when found, to manufacture or dispose of the same to the best advantage; also, to manufacture mineral paint, and also to purchase or lease lands, not exceeding one thousand acres, implements, machinery, et cetera, and to erect buildings, and to do all such other business as may be deemed necessary by the said company.
Dividends.	SECTION 5. That dividends may be declared and paid quarterly, semi-annually or annually, as the directors may order; but such dividends shall, in no case, exceed the amount of actual profits acquired by the corporation.
Subscriptions to stock.	SECTION 6. That the subscription to the stock may be made and paid in form and manner as directed by the by-laws.
Transfers.	SECTION 7. That all transfers of stock in said company shall be entered on the stock book thereof, and the said company shall keep an office for the transaction of their business, at or near Mauch Chunk, in the county of Carbon.
Proceedings of company, relative to.	SECTION 8. That a majority of the votes of the directors, cast at any legally convened meeting, shall be sufficient to make valid all proceedings of the company, except alterations of the constitution, which shall require a two-thirds vote; and a majority of the votes of the stockholders, cast at any meeting of the same, legally convened, shall be sufficient to determine any question that may be brought before them.
Bonus to state.	SECTION 9. That this corporation shall pay into the treasury of the commonwealth, a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such other tax as is now or may hereafter be imposed by law on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years.
Individual Liability.	
Limitation.	

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 416.

AN ACT

To incorporate the German Fire Insurance Company of Pittsburg, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Adam Reineman, Leonard Walter, Charles Meyran, Augustus Hoeveler, W. Krewzkamp, Andrew Kloman, Christian Siebert, P. Keil, Francis Felix, Leopold Sahl, John F. Havekotte, J. H. Demmler, Edward Fenderich, J. G. Backofen, C. Hoeveler, J. Ludwig Koethen, Gustavus Praetsch, Joseph Abel, E. H. Myers, Wm. Neel, H. P. Mueller, A. B. Berger, A. Holstein, George Gerat, Frederick Kirsch, Conrad Van Buren, A. H. Gross, Charles L. Goehring, Augustus Ammon, Frederick L. Johnson, Caspar Gang and F. H. Bussmann, of the city of Pittsburg and vicinity, are hereby appointed commissioners, and any five of them shall have power, from and after the passage of this act, to establish an insurance company, by the name and title of **Title.** the German fire insurance company, of the city of Pittsburg, to be located in the city of Pittsburg aforesaid, with a capital stock **Capital stock.** of one hundred thousand dollars, with the privilege, under the regulation of such by-laws and rules, not inconsistent with this charter or the constitution and laws of the United States, or of this commonwealth, as the corporation, hereby created, may pass and establish upon the subject, to increase the same to two hundred thousand dollars, said capital stock to be divided into shares of twenty-five dollars each, payment of which shall be made as follows, to wit: Of the original issue, five dollars, on each share, shall be paid in at the time of subscription; five dollars within three months after holding the first election for directors, and two dollars and a half within six months after the holding of such election; of the second issue hereby authorized, five dollars, on each share, shall be paid in at the time of subscription; five dollars within three months thereafter, and two dollars and a half within six months thereafter; the residue of said capital stock aforesaid, to be paid in in such instalments as, by the by-laws of said corporation, shall be directed: *Provided*, That no person shall be allowed to subscribe for, buy or hold, either in his own name or under cover of any other name, more than one hundred shares of said stock; that the shares of stock shall be assignable and transferable only on the books of said corporation, on notice given to the board of directors of the same, according to the rules and regulations of the by-laws of said corporation; but that said board of directors, on behalf of said corporation, shall have the pre-emption right to buy such shares of stock, so to be transferred or assigned, at such price as any person offering to buy the same may have offered to pay therefor: *Provided also*, That at all elections the votes of stock- **Payments, how to be made.** **No person to hold more than one hundred shares.** **Transfers.** **Votes.**

holders shall be by ballot, each share of stock, not exceeding twenty; to have one vote, but no person whatever, to have a greater number of votes than twenty, as aforesaid.

Insurance.

SECTION 2. That the said corporation shall be empowered to take risks against fire, on all kinds of buildings, merchandise and other property, either limited or perpetual, and that in all matters whatsoever, not herein specially provided for, the same is to be organized and managed according to the provisions of the act to provide for the incorporation of insurance companies, approved the second day of April, one thousand eight hundred and fifty-six.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 417.

SUPPLEMENT

To an act to incorporate the Pittsburgh Dollar Savings Institution, passed the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburgh Dollar savings institution, now the Dollar savings bank, shall have authority to loan money, at such rates of interest, not exceeding ten per centum per annum, as shall enable it, after paying the expenses of the institution, and a dividend on its deposits, of six per centum per annum, to accumulate a contingent fund of ten per centum on the deposits on hand.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 418.

AN ACT

To authorize Hamilton M'Clintock, his heirs and assigns, to keep up and maintain a Bridge over Oil creek.

WHEREAS, Hamilton M'Clintock, of the township of Corn- Preamble.
planter, in the county of Venango, being the owner of a tract
of land lying on both sides of Oil creek, in said township and
county, has erected a bridge over the said creek, on his said tract
of land :

And whereas, The said bridge, if maintained and kept open,
will be of great advantage to the public ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Represen-*
tatives of the Commonwealth of Pennsylvania in General Assem-
bly met, and it is hereby enacted by the authority of the same, That
the said Hamilton M'Clintock, and his heirs and assigns, be and Bridge autho-
hereby are authorized to maintain and keep up the said bridge, rised.
and to erect gates, and demand and receive tolls for crossing Tolls.
the said bridge, at such rates as shall be fixed, from time to
time, by the court of quarter sessions of Venango county.

SECTION 2. That all general laws of this commonwealth, for Subject to.
the protection of bridges, are hereby made applicable to the said
Hamilton M'Clintock's bridge, and all remedies given to bridge
companies, by general laws, against violations of the same, and
injuring bridges, and evading payment of tolls, are hereby given
to the said Hamilton M'Clintock, his heirs and assigns.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini
one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 419.

AN ACT

To incorporate the Chartiers Cemetery of Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Represen-*
tatives of the Commonwealth of Pennsylvania in General Assembly
met, and it is hereby enacted by the authority of the same, That

Corporators.	M. B. Brown; J. W. Cook, Moses Chess, J. L. Marshall, W. M'Clintock, J. W. Hall, W. H. Phelps and H. Lee, of Allegheny county, and any persons who may become their associates and their successors, be and are hereby declared and created to be a body corporate, by the name, style and title
Title.	of the Chartiers cemetery company, and by that name shall have perpetual succession, and shall be capable in law to have
Seal.	and use a common seal, and from time to time to alter or
Privileges.	change the same; to hold, purchase and dispose of property, real or personal, sue and be sued, plead and be impleaded in
By-laws.	any court of law or elsewhere, to ordain, pass, and put in execution all such laws, rules and regulations, not contrary to the constitution and laws of the United States, or of this commonwealth, as shall be necessary or convenient for carrying into effect the objects of the company, and generally to do all such other matters and things as are incident to a corporation.
Management.	SECTION 2. That the government of the said company, and the management and disposition of its affairs, is hereby vested in a board of trustees, who shall be elected at such times and in such manner as the said company shall, by its rules and regulations, direct, and such officers, agents and servants shall be appointed by the trustees, as said company may, by its laws, require.
Trustees, &c.	
Location of cemetery.	SECTION 3. That it shall be the duty of said corporators to establish in Chartiers township, Allegheny county, on the property of James L. Marshall, in said township, a rural cemetery, and for that purpose, not less than thirty, nor more than one hundred acres of land shall and may be provided and set apart and inclosed; and it shall not be lawful, hereafter, to lay out, open or extend any road or highway in, through or upon any such land so set apart or held for cemetery purposes, without the consent of this corporation; and while such land shall be so reserved and held for purposes of sepulture, it shall not be subject to taxation.
Opening roads through cemetery.	
Not subject to taxation.	
Powers	SECTION 4. That the said corporation shall have power to receive all and singular, such gifts, bequests, and donations of property as may be made, and to use the same for the benefit of the corporation; to lay out, divide, sub-divide and arrange said ground into lots, plots, avenues, lanes, sites for offices, dwellings for its necessary officers or servants, chapel for religious obsequies, dead house, vaults, et cetera, as shall be deemed needful to render the said cemetery convenient and attractive, and to sell and convey, by deed or otherwise, such lots, plots, et cetera, for purposes of sepulture, to individuals, societies or congregations, under and subject to such conditions, rules or regulations for the government of lot-holders, visitors, burying the dead, ornamenting or improving the lots, and so forth, as the said company, by its laws, from time to time, direct and establish: <i>Provided</i> , That the lots, granted by said corporation for burial purposes, shall not be used for any other purpose, and that they shall be forever free and exempt from seizure and sale, under or by virtue of any execution, attachment or otherwise, against any grantee or grantees of said corporation.
Proviso.	
Superintendent, duties of.	SECTION 5. That it shall be the duty of said corporation, when one thousand burial lots in said cemetery shall have been

sold, and at all times thereafter, to keep not less than one suitable person residing in or near the grounds of said cemetery, whose duty it shall be, to labor and work about the safety and preservation of the buildings, fences, avenues and lanes of said cemetery; and for this purpose, shall invest a sum in ground rents or mortgages, well secured on real estate, or in the funded debt of the city of Pittsburg, or Allegheny, or the state of Pennsylvania, which, with any current perquisites arising from digging graves, or otherwise, shall amount to not less than three hundred dollars annually, to be applied as aforesaid.

Investment of
fund reserved for
improvements,
&c.

SECTION 6. That any person who shall willfully destroy, mutilate, deface, injure or remove any tomb, monument or gravestone, or other structure placed in the aforesaid cemetery, or any fence, railing, or other work for the protection or ornament of said cemetery, or any dwelling house, chapel, office, or other building erected on the grounds of said corporation, for the use or convenience of the same, or any lot within the cemetery aforesaid, or shall willfully destroy, cut, break, or injure any tree, shrub or plant within the limits of said cemetery, shall be deemed guilty of misdemeanor, and upon conviction thereof, before any magistrate or court of competent jurisdiction, be punished by a fine of not less than five dollars, nor more than five hundred dollars, and by imprisonment in the county jail of not less than one, nor more than thirty days, according to the nature and aggravation of the offence; and every such offender shall, also, be liable in an action of trespass, in the name of said corporation, to pay all such damages as may have been occasioned by his unlawful act or acts, which money, when recovered, shall be applied, under the direction of the trustees of said corporation, to the restoration or reparation of the property injured or destroyed.

Penalties for
trespasses.

Appropriation of
fines.

SECTION 7. That the original conveyance of lots from the corporation to individuals, may be evidenced either by deed, or by a certificate signed by the president, and countersigned by the secretary or treasurer of the board of trustees, as by the rules and regulations or by-laws shall be required; and such deed or certificate, specifying that such a person is the owner of such a lot or lots, shall vest in the proprietor, his heirs and assigns, a right, in fee simple, to such lot or lots, exempt from execution, attachment, taxation, or any other claim, lien or process, for the sole purpose of interment, under the regulations of the corporation; and said certificates shall have the same force and effect as deeds duly executed in other cases, and may be recorded, and certified copies thereof shall be evidence, as in other cases; and said lots, or such portions thereof as may be prescribed by the trustees, and with their assent, may be conveyed by deed, in due form of law, for the sole purpose of interment as aforesaid.

Conveyances of
lots, how made,
&c.

Exemptions.

JOHN ROWE,
Speaker the of House of Representatives.
LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

Proviso.

acceptance of this act, then each and all of said bond and stockholders, not so dissenting, shall be held and regarded to have assented to, and to have accepted, this act, with the like effect as if such acceptance and assent had been evidenced in writing, and with like effect as if such bond or stockholder had duly surrendered the said bonds and coupons, or stock, and had accepted therefor the said preferred and common stock, as aforesaid; and it shall then be the duty of the said board of directors to issue, and set apart to each and all of said bond and stockholders, the preferred or common stock to which he or they would be respectively entitled: *Provided however*, That any holder of said bonds or stock, aforesaid, who shall assent to the provisions of this act, shall, as against the non-assenting holders of said bonds and stock, or either, notwithstanding the said surrender of their said bonds and stock, and the acceptance of the new preferred or common stock therefor, as aforesaid, in lieu thereof, continue to be entitled to all the rights, privileges and securities now belonging to them, as fully as if such exchange had not been made, and as fully as any non-assenting bond or stockholders are, or can, or may be.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 422.

A N A C T

Relative to recording Inventories of Appraisements of Decedents' Estates of Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of an act relative to recording inventories of appraisements of decedents' estates of Lancaster county, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, be and the same are hereby extended to the county of Dauphin.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 423.

A FURTHER SUPPLEMENT

To an act to incorporate an Association for the establishment of a House of Refuge for Western Pennsylvania, approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the House of Refuge for Western Pennsylvania shall have power to admit, into said House of Refuge, infants convicted of any criminal offence in any district or circuit court of the United States, in and for the Western district of Pennsylvania, in like manner as they are now authorized to admit infants convicted in the courts of oyer and terminer and quarter sessions: *Provided,* That no such infant shall be so admitted, unless residing within the Western district of the supreme court of Pennsylvania.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 424.

A SUPPLEMENT

To an act to provide for the incorporation of Insurance Companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the seventeenth section of the act to which this is a supplement, shall be and the same is hereby so altered and amended as to read, "that if any director, officer, agent or other person connected with, or doing business for or with any of said companies, shall fraudulently embezzle or appropriate to his own use,

or the use of any other person or persons, any money or other property belonging to the said institution, or left with or held by the said company, in trust, as a special deposit or otherwise, he or they, on conviction thereof, shall be fined in a sum not less than the amount so appropriated or embezzled, and sentenced to undergo an imprisonment in the penitentiary, in separate and solitary confinement, at labor, for a term not exceeding five years, at the discretion of the court: *Provided*, That this shall not prevent any person aggrieved from pursuing his, her or their civil remedy against such person or persons."

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 425.

AN ACT

Authorizing the Commissioners of Armstrong and Clarion counties to pay the expense of erecting a bridge over Redbank creek, at New Bethlehem.

WHEREAS, A public bridge was, some time since, erected over Redbank creek, in Armstrong and Clarion counties, at the joint expense of said counties; which bridge, owing to the unusual freshets of last summer, was swept away:

And whereas, The commissioners of the said counties failed to take action in the re-erection of the said bridge, the same was re-built by private citizens; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the commissioners of Armstrong county are hereby authorized and empowered to appoint one person, that the commissioners of Clarion county are hereby authorized and empowered to appoint a second person, and the parties who re-built said bridge, a third person; and the said three persons so appointed shall proceed to inspect the said bridge, and fix a just valuation of the expense of erecting the same, and report the amount thereof to the commissioners of said counties respectively, who are thereupon authorized and empowered to jointly pay the same to the proper persons interested: *Provided*, That whenever either of the said counties shall have paid one-half of the amount fixed

by the said viewers, the said county shall be released from the payment of any further sum for the erection of said bridge.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 426.

AN ACT

To repeal the special acts relating to Dog tax in Marple township, in the county of Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act, entitled "An Act relating to dog tax in certain townships in Delaware county," approved the fifteenth day of April, one thousand eight hundred and forty-five, and the supplement thereto, approved March sixteenth, one thousand eight hundred and forty-seven, be and the same are hereby repealed, so far as relates to the township of Marple, in said county.* Repeal.

SECTION 2. That hereafter the dog tax of the said township of Marple, shall be paid into the general dog fund of said county of Delaware, and that persons residing in the said township, having sheep destroyed by dogs, shall be entitled to orders from the county commissioners, upon said fund, for the amount of such damage, agreeably to the general dog law of said county. Dog tax of Marple township to be paid into county fund.

SECTION 3. That any present indebtedness of the dog fund of said township of Marple shall be paid by the supervisors thereof, out of any funds in their hands: *Provided, That the said supervisors, in levying the road tax of said township, shall be authorized and they are hereby required to add to the amount necessary for the repair of the roads of said township, the amount of said indebtedness of the dog fund thereof.* Damages, how paid.
Present indebtedness of dog fund.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 427.

A N A C T

Relating to Foreign Insurance Agencies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for agents of foreign insurance, annuity or trust companies, to acknowledge their bonds before any alderman, justice of the peace, or other officer competent to take acknowledgments of deeds, in this commonwealth.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 428.

A N A C T

To incorporate the Armory Company of the Gray Reserves.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Corporators. Peter C. Ellmaker, Napoleon B. Kneass, Charles H. Graff, Robert P. De Silver, Joseph T. Ford, William H. Kern, Albert R. Foering, Charles S. Smith, Charles M. Prevost, J. Ross Clark, Jacob Loudenslager, Joseph N. Piersol, George W. Wood, George W. Briggs, Charles P. Warner, C. Frederick Hupfeld and Francis P. Nicholson, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Armory company of the Gray Reserves, to have perpetual succession, to be capable, in law, of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, in fee simple, or upon ground rent, or any less estate, such real, or also such personal estate as may, by them, be deemed necessary and proper for the ownership and for the construction, use, management and maintenance.

Style.

Seal.

Powers.

nance of a building for the accommodation of the companies composing the First regiment of infantry, Gray Reserves, or any other parties or organizations who may be desirous of renting or occupying the same, with full power to sell, mortgage and create the necessary ground rent deeds, or convey the said real or personal estate.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain a suitable building, with all things necessary for the use thereof, within the limits of the city of Philadelphia, which may be appropriated and used as an armory for military organizations, located within said city; the said building, or any part or parts thereof, to be leased, rented or disposed of in such manner, and upon such terms and conditions, as the managers of said company may determine. Objecta.

SECTION 3. That the capital stock of said corporation shall not exceed one hundred thousand dollars, divided into eight thousand shares, of twelve dollars and fifty cents each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish. Capital stock.

SECTION 4. That the government and control of said corporation, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by, a board of seventeen managers, who shall be elected, by ballot, from among the stockholders; they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves; shall supply all vacancies in their number, however occasioned, and shall have general and entire control of the affairs and interests of the company; and at all meetings of said board, seven members thereof shall constitute a quorum for the transaction of business, and until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such. Management.
Election of managers and officers
Vacancies.
Quorum.

SECTION 5. That a general meeting of the stockholders shall be held, annually, on the second Monday in January, for the election of seventeen managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not, for that reason, be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice thereof being first given, in at least one daily newspaper, published in the city of Philadelphia; and special meetings of the corporation shall be called and held, as may be provided by the by-laws thereof, and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers, and the decisions of all questions, and at all the meetings of the corporation, the stockholders present, either in person or by proxy, shall severally be entitled to one vote for each share of stock held by them. Annual and special meetings of stockholders.
Notice.
By-laws.
Votes.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 429.

A SUPPLEMENT

To an act further to regulate Proceedings in Courts of Justice, and for other purposes."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act, entitled "An Act further to regulate proceedings in courts of justice, and for other purposes," approved the sixth day of May, Anno Domini one thousand eight hundred and forty-four, relating to security upon injunctions, shall hereafter apply to all writs of *estrepement*.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 430.

A SUPPLEMENT

To the several acts of Assembly, now in force, relating to divorces.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the several causes mentioned in the act or acts to which this is a supplement, for which a married woman may obtain a divorce from the bed and board of her husband, with allowance of alimony, shall be that of adultery; and it shall be lawful for the court of common pleas of the respective counties, upon complaint and due proof thereof, made in the manner prescribed by the said acts to which this is a supplement, or either of them, to grant the wife a divorce from bed and board; and in addition to the powers now conferred upon the said court by the said acts, or either of them, to grant alimony, and the amount thereof, it shall be lawful for the said court to decree to be paid by the said husband, in addition thereto, to his said wife, the one-

half of the value of all money and property, of every kind whatsoever, which the said husband may have received by, through or from his said wife, as her individual money and property; which amount the said court shall inquire into, and ascertain, by proper proof, on and at the time of the hearing of the said complaint; which decree the said court shall have the power to enforce, suspend or discharge and annul, in the same manner as the said court may now enforce, suspend or discharge and annul its decrees, under and by virtue of the said acts or either of them.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 431.

AN ACT

Fixing the commencement of the term of office of Sheriffs in the several counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the term of office of the sheriffs of the several counties in this commonwealth, shall commence on the Saturday succeeding the second Monday of the regular term of the court of common pleas, held next after their election, or on the Saturday succeeding the first Monday, when the term consists of but one week, except in the city of Philadelphia and in the county of Allegheny, in which the said term shall commence on the first Monday of December next succeeding their election.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 432.

A N A C T

Extending and reviving the Warrant to Isaac Woolverton, a Collector of Taxes in the township of Brady; Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the warrant issued to Isaac Woolverton, of the township of Brady, in the county of Huntingdon, for the collection of county, state and military taxes, dated the twenty-eighth day of May, one thousand eight hundred and sixty, be and the same is hereby extended and revived, and continued in full force and virtue, for the space of one year, from and after the twenty-eighth day of May next ensuing the passage of this act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 433.

A N A C T

To attach the county of Berks to the Eastern District of the Supreme Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of July, Anno Domini one thousand eight hundred and sixty-two, the county of Berks shall be attached to the Eastern district of the supreme court of this commonwealth, instead of the Middle district.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 434.

AN ACT

To promote the efficiency of the Militia of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the twenty-eighth section of an act to create a loan, and to provide for arming the state, approved the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one, as provides that the military tax imposed by the laws of this commonwealth, should be collected and paid into the treasury of the commonwealth, be and the same is hereby repealed, so far as the city of Philadelphia is concerned; that the military tax, or commutation, payable by every person in said city, not exempt by law, shall be fifty cents, to be assessed, collected, drawn for and disbursed, as provided by an act for the regulation of the militia of this commonwealth, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, and shall be paid into the said city treasury, as a military fund, for the benefit of the uniformed militia of said city, whether organized under general or special laws.

Military tax in the city of Philadelphia not to be paid into state treasury.

How to be assessed, collected, disbursed, &c.

Military fund for benefit of the city.

SECTION 2. The councils of said city of Philadelphia shall have the authority, from time to time, as the necessities and efficiency of said militia, within said city, shall require, and in anticipation of the said tax, so to be assessed and collected, to appropriate, out of the funds of said city, such sums as may be requisite for that purpose; and when any appropriation, as aforesaid, shall be made, it shall be drawn from the city treasury, upon the order of the proper board of officers of said militia: *Provided*, That no company shall receive a larger proportion of said fund than it would be entitled to according to the number of its uniformed members.

Appropriations by councils.

How to be drawn.

Proviso.

SECTION 3. That whenever any person in said city, who shall be subject to said military tax, shall prefer to become a contributing member of any regularly organized company, as aforesaid, he shall be exempt from the said tax, upon the payment of the sum of two dollars to said company, for military purposes; and the receipt therefor, of the captain of said company, shall be a sufficient discharge to said contributing member, from the payment of said tax, for the corresponding year: *Provided however*, That each company, as aforesaid, shall yearly, or oftener, if required, make a written return to the city treasurer, and to the board of officers of the regiment to which such company is attached, of the amount of contributions so received, and the names of the contributing members, which amount, so received, shall be deducted from the appropriation such company would be entitled to receive from the military fund: *And provided further*, That if the income from contributing members

Contributing members of organized companies exempt from tax.

Companies to make yearly returns to city treasurer.

Proviso.

LAWS OF PENNSYLVANIA,

of any company, shall exceed the sum of five hundred dollars, in any one year, the excess shall be paid into the general fund of the regiment to which such company is attached.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 435.

AN ACT

Relating to Justices of the Peace in the South ward of the borough of Chambersburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first section of the act of the twenty-second day of February, one thousand eight hundred and two, shall be and is hereby repealed, so far as it relates to the justices of the peace of the South ward of the borough of Chambersburg, in the county of Franklin: Provided however, That the justices of the peace of said ward shall keep their offices in said ward.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 436.

AN ACT

For the relief of Daniel Matzanbaugher, an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and directed to pay to Daniel Matzanbaugher, or to his order, a gratuity of one hundred dollars, and an annuity of forty dollars during the term of his natural life, commencing on the first day of January, one thousand eight hundred and sixty-two, and payable half yearly thereafter, on the first day of July and January.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 437.

AN ACT

Supplementary to an act incorporating the Milford and Richland Turnpike Road Company, in Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Milford and Richland turnpike road company are hereby authorized and empowered to reduce the number of their managers, from five to three; and that so much of the act incorporating said company, as requires the election of five managers, be and the same is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 438.

A FURTHER SUPPLEMENT

To the act incorporating the city of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the thirty-third section of the act of nineteenth day of March, one thousand eight hundred and sixty, as allows the commissioners to designate, within the limits of the city of Harrisburg, a plot, piece or parcel of ground, containing not less than twenty acres, to be for the use of the public and of the said city, for reservoirs or basins for holding water, or other necessary buildings or works, be and the same is hereby repealed.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 439.

AN ACT

Supplementary to an act incorporating the Cleveland and Pittsburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act to incorporate the Cleveland and Pittsburg railroad company, approved the eighteenth day of April, one thousand eight hundred and fifty-three, is hereby revived and renewed, and the time for constructing and completing said road, from Rochester, Beaver county, into the city of Pittsburg, under the*

charter of said company, is hereby extended ten years from the date of this act.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 410.

AN ACT

Relating to Official Bonds in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever it shall be made to appear to any court in which suit has been or shall be brought, and judgment entered thereon, upon the official bond of a sheriff or coroner, against such officer and his sureties, in the city and county of Philadelphia, that more than five years have elapsed since the execution of such official bond, and that the claim of all parties, claimants in such suit, who have become such within five years from the execution of such official bond, have been satisfied or otherwise finally disposed of, it shall be the duty of the said court, on the application of the said sureties, or either of them, to order the judgment entered against such sureties in such suit upon such official bond for the penalty thereof, to be marked satisfied of record, and the prothonotary of such court shall thereupon make such entry on the judgment index.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 441.

AN ACT

To incorporate the Entomological Society of Philadelphia.

Preamble.

WHEREAS, It is represented to the legislature that a number of persons have formed a society in Philadelphia, by the name of the Entomological society of Philadelphia, for the improvement and advancement of entomological science, and the investigation of the character and habits of insects, many of which, in their ravages, are destructive of the products of agriculture; and in order that the purposes thereof may be carried into better effect; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Ridings, Thomas B. Wilson, William S. Wood, Charles Wilt, Thomas Cox, Thomas B. Ashton, John Pearsall, Louis Schneider, James W. M'Allister, William Wolter, James H. B. Bland, Robert Jack, Charles J. Wood, George Newman, Ezra T. Cresson, John Meichel, Henry Feldman, William Evett, Samuel H. Shinn, George Hill, William Wenzel, William Kay, J. Frank Knight, Henry Ulke, Joseph Dunkerly, Hugh Dunbar, William S. Pine, Louis C. Gropengeisser, John Knight, F. Engelhardt, Theodore Bunte, James H. M'Farland, William S. Ballantyne, George H. Horn, Horace B. Mitchell, James H. Smith, Charles A. Blake, James D. Dowling, Robert Nuttel, Samuel Lewis, Jacob Ennis, William Lumbray, Thomas Daly, junior, William A. Royal, J. D. Wingate, Daniel Weist, George Hewston, Charles F. Parker, Robert Frazer, John M'Meichel, George W. Gallierd, Edgar Cowan, Joseph Moore, Jonathan Roberts Lowry, Joseph Rex, William F. Smith, Peter C. Shannon, G. W. Wimley, and such other persons as now are, or hereafter may become members of the said society, agreeably to its rules and regulations, shall be and they are hereby constituted and created a body corporate, by the name and title of the Entomological society of Philadelphia, and by the above name the said corporation shall have perpetual succession, have a common seal, with power to change the same, shall be able to make contracts, and capable in law and equity of purchasing, receiving, holding and conveying all estates, real, personal or mixed, for the use and benefit of the said corporation, and that may be required for the above purposes: *Provided,* That the clear yearly value or income of the said estate shall not, at any time, exceed the sum of five thousand dollars.

Title.

Seal.

Privileges.

Proviso.

Membership.

SECTION 2. That the said society shall consist of members resident and corresponding, who shall be elected upon such terms and under such regulations as the society shall determine; but the right of voting, holding office and transacting business, shall be confined solely to resident members.

SECTION 3. That the officers of the society shall consist of a ~~Officers.~~ president, a vice president, a corresponding secretary, a recording secretary, and a treasurer, whose respective duties shall be determined by the society; and for that, and all other purposes, the said corporation shall have the power to make and adopt ~~By-laws.~~ any by-laws, and to establish and put in execution all such regulations, for the government or management of the said society, as shall be deemed expedient, and not inconsistent with the constitution and laws of the United States, and of the commonwealth of Pennsylvania.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 442.

SUPPLEMENT

To an act, entitled "An Act to incorporate the Brady's Bend Iron Company," approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-one.

WHEREAS, In the third line from the end of section first of the act to which this is a supplement, the word "estate," immediately following the word "personal," was, by mistake in transcribing, omitted; to remedy which,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Brady's Bend iron company shall have power to employ the capital, means and credit of said company in acquiring real and personal estate, and in improving the same in such way and manner as the company may deem necessary, for mining, manufacturing and other purposes, and all such exercise of power heretofore, is, by this supplemental act, declared to be as valid and effectual, as if the said word, "estate," had not been omitted.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 443.

AN ACT

To incorporate the Lock Haven Market House Company.

Corporators.	<p>SECTION 1. <i>Beit enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Charles A. Mayer, Jared P. Huling, James Chatham, John A. Brutzman, W. W. Barker, T. O. Abrams, William Parsons, Jacob Bower, and their successors, and all persons who may hereafter be associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Lock Haven market company, and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in any court of law or equity, or elsewhere, and shall be able and capable, in law and equity, to take and hold, to them and their successors, either by grant and conveyances in fee simple, gift, devise or lease, any land or real estate, for the purpose of erecting thereon a suitable building or buildings, for the use of said company, and also to take and hold, for the use of said company, any goods and chattels, sum or sums of money, by grant, bargain or sale, and generally, to all and singular the matters and things which shall be lawful for them to do, for the well being and due management of the affairs of said company: <i>Provided,</i> That the capital stock of said company shall not exceed the sum of fifty thousand dollars, divided into one thousand shares, of fifty dollars each.</p>
Name. Powers.	<p>SECTION 2. That the certificates of stock, of the capital stock of said company, under the corporate seal, signed by the president, and attested by the secretary, shall be issued to the person or persons who subscribe for the same, which stock shall be transferable, under such regulations as may be provided for in the by-laws.</p>
Capital stock.	<p>SECTION 3. The object and purpose of said corporation shall be, to erect suitable buildings and stalls, on a certain piece of ground, in the borough of Lock Haven, Clinton county, Pennsylvania, situate on the north-west corner of Main street and Jay street, and bounded on the north by Jourdon's alley, and on the west by lot of Thomas Bridgens, the same to be appropriated and issued exclusively as a public market house, for the sale and vending of meats, vegetables, and all other kind of victuals and provisions whatever, and such other articles as the board of directors may deem proper; the said market buildings, the stalls, or any one, or more, or all of the same, to be leased, rented or disposed of, in such manner, and upon such terms and conditions, as the directors shall determine.</p>
Certificates of stock.	<p>SECTION 4. That the government and control of the Lock Haven market company, and the management of its affairs and property, shall be vested in a board of seven directors, five of</p>
Transferable.	
Erection of buildings authorized.	
Location.	
How to be used, &c.	
Directors.	

whom shall constitute a quorum for the transaction of business, who shall be elected annually, at such time and place, and in such manner, as the said company shall, by its by-laws, provide; the officers of said company shall be a president, and secretary, who shall also be the treasurer of the company; the president and secretary shall be elected by the board of directors, from among their number, for the time being. Officers.

SECTION 5. That the persons named in the first section of this act, upon certifying to the governor, under their hands and seals, that one hundred shares have been subscribed, and twenty dollars paid in on each share of the same, that at least three of whom shall make oath or affirmation that the facts in said certificate are just and true, that then, and in that case, the governor shall thereupon, by letters patent, under his hand and seal of the state, create and erect the subscribers and stockholders into one body politic and corporate, in deed and in law, by the name, style and title of the Lock Haven market house company, as authorized and provided for in this act. When letters patent to be issued.

SECTION 6. That the said corporation may make and have a common seal, and the same to break, renew and alter, at pleasure, and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of said corporation, not being contrary to this charter, and of the laws of the United States and of this commonwealth: *Provided*, That all by-laws must be approved by a vote of two-thirds of the board present, which fact must be recorded in the minutes kept by the secretary. Seal. By-laws. Proviso.

SECTION 7. That the opening of books and receiving of subscriptions to the capital stock of said company, shall be regulated in such manner as a majority of the directors, named in the first section, shall determine: *Provided*, That at least fifteen days' notice shall be published, in the two weekly papers in the borough of Lock Haven, of the time and place where subscriptions will be received. Subscriptions to capital stock regulated. Notice.

SECTION 8. That the first election for directors shall be held at such time and place as shall be agreed upon, after receiving the charter from the governor of the commonwealth, not more than twelve months after the passage of this act, of which due notice shall be given, as directed in section seventh of this act: *Provided*, That each stockholder shall be entitled to one vote for each and every share of stock held in said company. First election of directors. Votes.

SECTION 9. That nothing contained in this act shall be deemed and taken to authorize the said company to engage, either directly or indirectly, in any banking, commercial or manufacturing business, or act in any way or manner than for the purpose of a market house, and stall or stalls, for the purpose specified in this act. Prohibition.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 444.

A N A C T

To incorporate the Standard Petroleum Refining Company of Allegheny county.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Lewis Hope, Herbert W. Twiddle, H. Janes, D. Williams, Frederick L. Ihmsen, Daniel Negley, John H. Hampton, or a majority of them, be and they are hereby appointed commissioners
Subscriptions.	to open books of subscription in the city of Pittsburg, after giving not less than ten days' notice of time and place, in one or more newspapers published in said city, for the purpose of receiving subscriptions to and organizing a company, under the
Name.	name, style and title of the Standard Petroleum Refining company of Allegheny county; which company shall have power to
Authorized to hold land and erect buildings.	take and hold land sufficient to erect thereon such necessary buildings as may be necessary to carry on the business of refining petroleum.
Capital stock.	SECTION 2. That the capital stock of said company shall be one hundred thousand dollars, divided into five thousand shares of twenty dollars each; and the said company is hereby declared and made capable, in law, to sue and be sued, implead and be
Seal.	impleaded, to have a common seal, and the same to alter at pleasure; to sell and convey their real estate, and to purchase,
Privileges.	hold and sell such personal property as may be necessary to promote the objects of the corporation.
Management.	SECTION 3. That the affairs of said company shall be managed by a board of not less than five nor more than nine directors, one of whom shall be the president, who shall be designated by
Election of directors.	the stockholders; the first election shall be held within sixty days after this charter shall take effect, of which election public
Notice.	notice shall be given, at least two weeks, in one newspaper published in the city of Pittsburg, and subsequent elections at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be
Votes.	by ballot, and every share of stock, on which all required instalments shall be paid, shall entitle the holder thereof to one
Proviso.	vote, either in person or by proxy: <i>Provided,</i> That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly chosen; and in case of resignation or death of the president or any director, the remaining directors shall elect a person to serve until their successors are duly chosen.
Transfers.	SECTION 4. That the stock of said company shall be transferable, agreeably to the by-laws which may be adopted by the
Dividends.	directors, and that dividends may be declared and paid whenever the directors deem it advisable; but said dividends shall, in no case, exceed the amount of actual net profits acquired by

the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacities, for the excess so divided and paid; and the said company shall pay, into the state treasury, a bonus of two and one-half per cent. on the capital stock hereby authorized, in three equal annual instalments, in lieu of any and all taxes upon dividends, the first of which instalments shall be paid within one year from the date of the issue of letters patent herein provided for. Bonus to state.

SECTION 5. That this act shall not take full effect until five hundred shares shall have been subscribed for, and at least one-half of that amount have been actually paid for, in cash, of which a statement, containing the names of the subscribers and the amount subscribed for by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the said subscribers, as corporators, under the name, style and title aforesaid. When this act to take effect.
Letters patent.

SECTION 6. The said corporation may issue bonds, bearing a rate of interest not exceeding ten per centum per annum, with or without a clause making them convertible into the stock of the company, at the option of the holder, and with power to sell the said bonds at their market value, notwithstanding said market value may be less than par, and which bonds may be secured by mortgage of the property and franchises of the company; but no bond shall be issued for a less sum than one hundred dollars. May issue bonds secured by mortgage.

SECTION 7. That the stockholders of said company shall be individually liable, jointly and severally, for debts due to mechanics, workmen and laborers employed by said company, and for country produce furnished for said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three. Individual Liability.

SECTION 8. That the legislature hereby reserves the right to alter, amend and repeal this charter at any time; in such manner, however, as that no injustice shall be done to the stockholders; and this charter shall extend for a period of twenty years. Reservation.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 445.

A N A C T

To vacate a part of Swamp alley, in the borough of West Greenville, in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that portion of Swamp alley, extending from Race street, on the west, to the canal, on the east, and immediately south of lot number one, and north of lot number ninety-seven, in Keck's addition to the borough of West Greenville, in the county of Mercer, be and the same is hereby vacated, and the title to the land over which the same is laid, is hereby vested in the owner or owners of the lots on each side of said vacated portion of said alley; and said owner or owners are hereby authorized and empowered to enter upon and possess the land so vacated.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 446.

S U P P L E M E N T

To an act to incorporate the Jamestown Seminary, approved the twenty-second day of April, eighteen hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the words, "twenty dollars," in the fourth section of the act to which this is a supplement, is hereby altered to "twenty-five dollars," and the words, "to be held said election," in the sixth

section of said act, is hereby changed to "to cause said election to be held."

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 447.

SUPPLEMENT

To an act, entitled "An Act to incorporate the Littlestown Railroad Company."

WHEREAS, The board of directors of the Littlestown railroad company, under the provisions of the third section of the act to which this is a supplement, did borrow large sums of money, issuing their bonds therefor, and executing two general mortgages to secure the same, to Joseph L. Shorb, as trustee, et cetera:

And whereas, It was stipulated that if said company failed to pay the principal and interest of said bonds, for a period of six months after becoming due, said railroad, with its appurtenances, should be sold:

And whereas, The said company has so failed in the payment of the principal and interest aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That

Joseph L. Shorb, the trustee above named, be and he is hereby authorized to expose to public sale, at Littlestown, Adams county, and there sell the said Littlestown railroad, together with all and singular, the rights, liberties, franchises, privileges, improvements and appurtenances whatsoever, and all the real estate belonging to said company, after giving due public notice of the time and place of holding said sale, the property to be struck down to the highest and best bidder; and the said trustee is hereby fully empowered to convey the same, by deed or deeds, to the purchaser or purchasers thereof, and such sale or sales to be subject to the approval of the court of common pleas of Adams county, and the deed or deeds to be acknowledged in said court. Joseph L. Shorb, trustee, authorized to sell and convey Littlestown railroad.

SECTION 2. That the trustee aforesaid shall apply the proceeds of said sale, first, to the bondholders, in the order of their lien, and the residue, if there be any, to other creditors, and Subject to approval of court. Application of proceeds.

Trustee to enter
security.

any further residue to be paid over to the stockholders: *Provided*, That before making such sale, the trustee aforesaid shall enter security, to be approved by the president judge of the court of common pleas of Adams county, in such sum as he shall direct, for the faithful performance of the duties devolved upon him as such trustee.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 448.

SUPPLEMENT

To an act to incorporate the Union Improvement Company, approved the seventeenth day of March, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Union improvement company be and the same is hereby invested with all and singular the powers, privileges and immunities conferred by, and subject to all the restrictions and provisos contained in an act to incorporate the Raush Creek company, approved the second day of April, one thousand eight hundred and sixty: *Provided*, That the number of directors shall remain the same as heretofore.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 449.

A N A C T

To extend the limits of the borough of M'Connellsburg, Fulton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the limits of the borough of M'Connellsburg, in Fulton county, be and the same are hereby extended, so as to include the barn, barn-yard, tenant house and ground of William Hoke, now in the township of Todd, adjoining said borough.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 450.

A N A C T

For the opening of Clearfield street from Amber, late Waterloo street, to Frankford road, in the Twenty-fifth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of highways of the city of Philadelphia shall, within thirty days after the passage of this act, proceed and open, or cause to be opened, Clearfield street from Amber, late Waterloo street, to Frankford road, in the Twenty-fifth ward of the city of Philadelphia, on parallel lines with the said Clearfield street, as it is now opened east of said Amber street.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 451.

AN ACT

Changing the organization and jurisdiction of the Court of Common Pleas of the county of Allegheny.

The governor authorized to appoint an additional associate law judge.

Election of same at next general election.

When office of associate judges to cease.

Jurisdiction of court extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That after the passage of this act, it shall be the duty of the governor to appoint a competent person, learned in the law, to be an associate judge of the court of common pleas of the county of Allegheny, in addition to the judges now composing said court, who shall hold his office until the first Monday of December next, and shall have the same powers, authority and jurisdiction, as the assistant judge of said court now has.

SECTION 2. At the next general election the qualified electors of said county shall elect a competent person, learned in the law, to serve as said associate judge, who shall be commissioned for the same term, hold his office by the same tenure, have the same powers and authority, and receive the same compensation as the assistant judge of said court.

SECTION 3. That hereafter no appointment shall be made, or election held, to supply any vacancy that may occur by the expiration of the term of office, death, resignation or removal, of either of the present associate judges of said court, but whenever such vacancy occurs, the office so vacated shall cease, and thereafter the said court shall be composed of the remaining judges, until both of said offices shall become vacant and cease, after which, the said court shall consist of the president judge, the assistant judge, and the associate judge herein provided for.

SECTION 4. That all laws limiting the jurisdiction of the said court of common pleas, to any particular sum in controversy, be and the same are hereby repealed; and hereafter the said court shall have full concurrent jurisdiction with the district court of said county, without reference to the amount in controversy.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 452.

A SUPPLEMENT

To an act, entitled "An Act relative to licenses on vehicles in the cities of Pittsburgh and Allegheny, in the boroughs of Birmingham, East Birmingham, South Pittsburg and Manchester, and dramatic licenses in the city of Pittsburgh," approved the thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and singular the provisions, limitations and restrictions of the act to which this is a supplement, be and the same are hereby extended to the borough of Lawrenceville, in the county of Allegheny.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL, .
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 453.

AN ACT

Supplementary to an act, entitled "An Act to require Corporations to give bail in certain cases, and relative to the commencement of suits against Foreign Corporations, to the accounts of John Sloan, late Treasurer of Lycoming county, and Pittsburg and Connellsville Railroad Company," approved the fifteenth day of March, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where any company has been incorporated by this commonwealth, and the principal office for the transaction of business thereof shall be located out of this state, and where none of the officers upon whom process can be served, under the existing laws of the commonwealth, reside in the state, it shall be lawful to sue said company, in any county in this state

where the said company, at any time, transacted the business thereof, or where the works or real estate of such company were located; and such legal process may be served on such company, by publication of a copy of the process in such newspaper as the court may direct, for six weeks previous to the return day; and for every purpose of legal proceeding, such company shall be taken, both in law and equity, to be located in this state, and shall be liable to writs of *quo warranto*, *mandamus*, attachment and execution, and service of such process, by publication as aforesaid, shall be, to all intents and purposes, as effective as if served upon the president of such company, or other officer of same, and he or they resident of the proper county of this state, and as if the company's office were within the state; and any property, of any description, of such company, within the state, shall be liable to attachment and execution; and any such property, which would be liable to attachment or execution, if the said office were located in this state, shall be taken to be in this state for such purpose, and shall be liable to levy and sale, in the same manner as if the officers of said company resided in the county in this state, in which the same is liable to be sued by the provisions of this act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 454.

AN ACT

Supplementary to an act, entitled "An Act concerning the sale of Railroads, Canals, Bridges and Plank Roads," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases in which any railroad, canal, bridge or plank road may be sold in the manner contemplated by the act to which this is a supplement, and a debt or debts may be due to the commonwealth from the company, as whose property such railroad, canal, bridge or plank road may have been sold, the purchaser or purchasers of such roads, canal or bridge shall not be entitled

to the benefits and privileges conferred by said act, or any of them, until he or they shall have paid such debt or debts to the commonwealth, or until the payment of the same, with interest, shall be secured by bond or bonds, and first mortgage upon all the real and personal property, corporate rights and franchises, which shall pass to the said purchaser or purchasers, by such sale.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 455.

AN ACT

Providing for the publication of certain Accounts and Notices in the counties of Bedford and Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be the duty of the commissioners, county auditors, treasurer, directors of the poor, sheriffs, prothonotaries, clerks of the several courts, registers and recorders of the counties of Bedford and Somerset, and also of all executors, administrators, trustees and auditors, appointed by the several courts of said counties, to publish all notices, settlements, rules, and all other proceedings in said offices and courts, and all notices given by said executors, administrators and trustees, including notices to creditors, notices of sales, and all other notices, which are now required, by law, to be published in one paper in each of said counties, in two English newspapers in each of said counties respectively: *Provided,* There be so many published in said counties: *And provided further,* That the provisions of this section shall not apply to the publication of notices relative to any estate, which shall be less in value than one thousand dollars, over and above all debts, and the three hundred dollars awarded to the widow or children.

Certain accounts and notices to be published in two newspapers.

Provide.

Provide.

SECTION 2. That the act, entitled "An Act providing for the publication of certain accounts in Somerset county," approved the twelfth day of February, Anno Domini one thousand eight hundred and fifty-eight, and the act approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-

Repeal of certain acts.

LAWS OF PENNSYLVANIA,

eight, entitled "A supplement to an act providing for the publication of certain accounts in Somerset county," be and the same are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 456.

AN ACT

For the protection of Sheep and taxing Dogs in the townships of Abington, Benton, Jefferson and Madison, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act for the protection of sheep and taxing dogs in the county of Blair," approved May twentieth, one thousand eight hundred and fifty-seven, be extended to the townships of Abington, Benton, Jefferson and Madison, in the county of Luzerne.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 457.

A N A C T

To attach Erie and Crawford counties to the Eastern District of the Supreme Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the counties of Erie and Crawford shall be attached to the Eastern district of the supreme court of this commonwealth, instead of the Western, and all writs issued to the said counties, and not yet disposed of, shall be returnable to the said Eastern district, the same as if originally issued therefrom.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 458.

A FURTHER SUPPLEMENT

To the Road laws of Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the amount of road tax assessed upon any person or persons, in the township of Mill Creek, in the county of Erie, and which is payable in labor under the road laws of said county, shall amount to less than one day's labor, said tax shall be payable in cash only, and collected as the cash part of the road tax in said township is now by law collected, unless the person or persons, liable for said tax, shall prefer to render one full day's labor in payment of said tax, instead of paying the same in cash.

Road tax in Mill Creek township, payment of.

SECTION 2. That the fourth section of an act of assembly in relation to path-masters, and for other purposes, approved March twenty-fifth, one thousand eight hundred and fifty, and all acts and parts of acts inconsistent with this act, be and the

Repeal.

LAWS OF PENNSYLVANIA,

same are hereby repealed, as to the township of Mill Creek, aforesaid.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 459

AN ACT

Granting a Pension to Henry Welsh, a disabled soldier.

WHEREAS, Henry Welsh, a corporal in the company of Captain J. G. Simpson, in the first artillery regiment of the Reserve volunteer corps of Pennsylvania, was disabled, while engaged, under orders, in firing a salute on Capitol Hill, Harrisburg, on the morning of the Fourth of July last, by the premature discharge of a six-pounder, both his arms having been so much injured as to require amputation:

And whereas, The said Henry Welsh can receive nothing from the general government, having only been sworn into the service of this state, and has received a certificate from J. P. Wilson, surgeon general of Camp Curtin, declaring him entirely disabled from obtaining his subsistence; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Welsh, a disabled corporal, in the company of Captain J. G. Simpson, in the first artillery regiment of the Reserve volunteer corps, shall receive a life annuity of one hundred dollars, to date from the Fourth day of July, Anno Domini one thousand eight hundred and sixty-one, and to be paid by the state treasurer semi-annually, on the first days of April and October, from any moneys not otherwise appropriated: *Provided,* That all arrearages due by this act shall be paid in full upon the first day of April last.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 460.

AN ACT

To refund to Leonard F. Roberts certain moneys erroneously paid by him for collateral inheritance tax on the estate of John Craig, deceased.

WHEREAS, Leonard F. Roberts, administrator *de bonis non cum testamento annexo* of the estate of John Craig, deceased, late of the township of West Nantmeal, in the county of Chester, did, on the sixteenth day of April, one thousand eight hundred and sixty, pay to the register of wills of said county, the sum of thirty dollars and fifty-five cents, as collateral inheritance tax upon certain legacies bequeathed by said John Craig :

And whereas, By the decision of the supreme court of this state, in another case of similar character, after said payment was made, it appears that said legacies passed to the legatees, under the will of said John Craig, approved on the sixth day of April, one thousand eight hundred and twenty-five, before the imposition of collateral inheritance tax by the laws of this commonwealth ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to refund and re-pay unto Leonard F. Roberts, of the county of Chester, the sum of thirty dollars and fifty cents, that being the amount erroneously paid by the said Leonard F. Roberts, for collateral inheritance tax on legacies bequeathed by the will of said John Craig, deceased.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 461.

AN ACT

To provide for the ordinary expenses of the Government, and other general and specific Appropriations.

Appropriations. SECTION. 1 *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-two, to be paid out of any money in the treasury not otherwise appropriated:

Salary of governor and heads of departments. SECTION 2. For the salary of the governor of the commonwealth, four thousand dollars.

For the salary of the secretary of the commonwealth, one thousand seven hundred dollars.

For the salary of the deputy secretary of the commonwealth, one thousand five hundred dollars, and the further sum of one hundred dollars for one year, to take effect from and after the first day of June, Anno Domini one thousand eight hundred and sixty-one.

For the salary of the auditor general, one thousand seven hundred dollars.

For the salary of the surveyor general, one thousand six hundred dollars.

For the salary of the attorney general, three thousand dollars.

For the salary of the state treasurer, one thousand seven hundred dollars

For the salary of the superintendent of common schools, one thousand six hundred dollars.

For the salary of the state librarian, eight hundred dollars.

For the salary of the superintendent of public printing, eight hundred dollars, and for office rent ninety dollars, or so much thereof as may be expended therefor.

Executive department. SECTION 3. For the salary of the private secretary of the governor, fifteen hundred dollars.

For messenger in executive department, five hundred dollars, and the further sum of one hundred dollars for one year, from the first day of June, one thousand eight hundred and sixty-one.

Clerk hire, &c., in state department. SECTION 4. For the salary of the chief clerk in the office of the secretary of the commonwealth, one thousand two hundred dollars.

For the salary of the military clerk, one thousand dollars, and the further sum of one hundred dollars for one year, to take effect from and after the first day of June, Anno Domini one thousand eight hundred and sixty-one.

For the salary of the commission clerk, one thousand dollars, and the further sum of one hundred dollars for one year, to

take effect from and after the first day of June, Anno Domini one thousand eight hundred and sixty-one.

For the salary of the first transcribing clerk, one thousand dollars, and the further sum of one hundred dollars for one year, to take effect from and after the first day of June, one thousand eight hundred and sixty-one.

For the salary of the second transcribing clerk, nine hundred dollars.

For the salary of the third transcribing clerk, nine hundred dollars.

For the salary of the messenger in the state department, five hundred dollars, and the additional sum of one hundred dollars for one year, from the first day of June, one thousand eight hundred and sixty-one.

For postage, telegrams, freights and express charges in the state department, thirteen hundred dollars, or so much thereof as may be necessary.

For blank books, fifty dollars, or so much thereof as may be necessary.

For stationery, six hundred dollars, or so much thereof as may be necessary.

For fuel and lights in the state department, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For cleaning offices, one hundred dollars, or so much thereof as may be necessary.

For miscellaneous expenses, two hundred dollars, or so much thereof as may be necessary.

SECTION 5. For the salary of the chief clerk in the auditor Auditor general's office. general's office, one thousand five hundred dollars, and the further sum of one hundred dollars for one year, to take effect from and after the first day of June, Anno Domini one thousand eight hundred and sixty-one.

For the salary of the clerk in the banking department, one thousand two hundred dollars.

For the salary of the clerk in department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of courts, et cetera, one thousand one hundred dollars.

For the salary of the clerk for settling the accounts of corporations, and in charge of the business with foreign insurance companies, reports of railroad and manufacturing companies, et cetera, one thousand one hundred dollars.

For the salary of warrant and bond clerk, one thousand one hundred dollars, to take effect from and after the first day of June, one thousand eight hundred and sixty-one.

For the salary of registering and copying clerk, one thousand dollars.

For the salary of clerk in charge of papers relating to the public improvements formerly owned by the state, for settling accounts of military disbursing officers, and assisting chief, corporation and warrant clerks, one thousand dollars, and the further sum of one hundred dollars for one year, to take effect from and after the first day of June, Anno Domini one thousand eight hundred and sixty-one.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, nine hundred dollars.

For salary of messenger, five hundred dollars, and the additional sum of one hundred dollars for one year, from the first day of June, one thousand eight hundred and sixty-one.

For postage and telegrams, five hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, three hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, seventy-five dollars, or so much thereof as may be necessary.

Surveyor general's office.

SECTION 6. For the salary of six clerks in the surveyor general's office, the sum of one thousand dollars each, four of whom shall make out, and furnish to each county in this commonwealth, a list of lands on which the state has any lien, in accordance with the requirements of the act of March twenty-first, Anno Domini one thousand eight hundred and sixty.

For the salary of the chief clerk in the surveyor general's office, the sum of one thousand four hundred dollars.

For the salary of messenger, five hundred dollars.

For postage in the office of the surveyor general, four hundred dollars, or so much thereof as may be necessary.

For stationery, two hundred dollars, or so much thereof as may be necessary.

For cleaning office, and miscellaneous expenses, one hundred dollars, or so much thereof as may be necessary.

For fuel, seventy-five dollars, or so much thereof as may be necessary.

Attorney general's office.

SECTION 7. For the salary of the clerk in the office of the attorney general, eight hundred dollars.

For the contingent expenses in the attorney general's office, three hundred and fifty dollars, or so much thereof as may be necessary.

State treasury.

SECTION 8. For the salary of the chief clerk in the office of the state treasurer, one thousand six hundred dollars, and the further sum of one hundred dollars for one year, to take effect from and after the first day of June, Anno Domini one thousand eight hundred and sixty-one.

For the salary of the book-keeper, one thousand one hundred dollars.

For the salary of the account clerk, one thousand one hundred dollars.

For the salary of the recording clerk, one thousand dollars.

For the salary of the messenger and night-watch of the treasury department, six hundred and fifty dollars.

For postage and telegrams in the treasury department, four hundred and seventy-five dollars, or so much thereof as may be necessary.

For stationery and blank books, two hundred and fifty dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

SECTION 9. For the salary of the messenger in the adjutant general's office, the sum of three hundred dollars; and for expenses in fitting up and repairing room, and for miscellaneous expenses, the further sum of three hundred and seventy-five dollars, or so much thereof as may be necessary. Adjutant general's office.

SECTION 10. That the state treasurer is hereby required to pay to each of the commissioners of the sinking fund, the sum of three hundred dollars, and they are hereby authorized and required to impose the duties of clerk to said commissioners upon one of the clerks of the treasurer's department, at an increased salary, not exceeding two hundred dollars per annum. Commissioners of sinking fund and clerk hire.

SECTION 11. For the salary of the deputy superintendent of common schools, one thousand four hundred dollars. School department.

For expenses of school department in visiting the several school districts in the state, three hundred dollars, or so much thereof as may be necessary, to be paid to the person who shall perform the service.

For the salary of the warrant clerk in the school department, one thousand dollars.

For the salary of the report clerk, one thousand dollars.

For the salary of the letter clerk, nine hundred dollars.

For the salary of the messenger, five hundred dollars.

For stationery and blank books in the school department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express expenses, one thousand dollars, or so much thereof as may be necessary.

For fuel, light, cleaning office, and miscellaneous expenses of the school department, one hundred and ten dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions to the several school districts of the State, six hundred dollars, or so much thereof as may be necessary.

SECTION 12. For the salary of assistant librarian, one hundred and fifty dollars. State library.

For the purchase of law and miscellaneous books, six hundred dollars.

For the exchange of law books, two hundred and fifty dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, one hundred and seventy-five dollars, or so much thereof as may be necessary.

For binding, one hundred dollars, or so much thereof as may be necessary.

SECTION 13. For the public printing, folding, stitching and binding, thirty thousand dollars, or so much thereof as may be necessary, on settlement of the account of the public printer according to law. Printing.

SECTION 14. For the payment of the expenses of the legislature, including the pay and mileage of members, clerks and officers thereof, and the amount authorized by law for stationery, Legislature.

et cetera, the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general according to law.

Packing and distributing laws. SECTION 15. For packing and distributing the laws and journals of the legislature, to be performed under the direction of the secretary of the commonwealth, seven hundred dollars, or so much thereof as may be necessary.

Miscellaneous expenses. SECTION 16. For miscellaneous expenses, to be first audited by the auditor general before being paid by the state treasurer, the sum of seven thousand dollars, or so much thereof as may be necessary.

Judges of supreme court. SECTION 17. For the salaries of the judges of the supreme court, the sum of twenty-one thousand five hundred dollars, or so much thereof as may be necessary.

Judges, Philadelphia. SECTION 18. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas of the city of Philadelphia, the sum of eighteen thousand dollars, or three thousand dollars to each judge.

Judges, Allegheny county. SECTION 19. For the payment of the judges of the district court and the president and assistant law judges of the court of common pleas of the county of Allegheny, twelve thousand dollars, and the further sum of five hundred dollars, or so much thereof as may be necessary, to pay to the legal representatives of William B. M'Clure, late president judge of the court of common pleas of said county, the quarter's salary for the quarter ending March first, one thousand eight hundred and sixty-two.

Judges of courts of common pleas. SECTION 20. For the payment of the salaries and mileage of the president and associate law judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia and the county of Allegheny, the sum of fifty-five thousand dollars, or so much thereof as may be necessary.

Associate judges. SECTION 21. For the payment of the salaries and mileage of the associate judges of the courts of this commonwealth, the sum of forty thousand dollars, or so much thereof as may be necessary.

Interest on state debt. SECTION 22. For the payment of the interest on the funded debt of the commonwealth, that will fall due on the first days of July and August, Anno Domini one thousand eight hundred and sixty-two, and on the first days of January and February, Anno Domini one thousand eight hundred and sixty-three, the sum of one million nine hundred and seventy-six thousand seven hundred and seventy-three dollars; and for the expenses of paying the interest on the first of February, Anno Domini one thousand eight hundred and sixty-two, in specie or its equivalent, the same having been paid into the treasury by the banks of the commonwealth for that purpose, twenty-four thousand dollars, or so much thereof as may be necessary.

Deaf and dumb. SECTION 23. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, twenty-five thousand two hundred and eighty dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the state treasurer.

For the northern home for friendless children, the sum of five thousand dollars. Northern home
for friendless
children.
Blind.

SECTION 24. For the Pennsylvania institution for the instruction of the blind, the sum of twenty-four thousand eight hundred dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rates prescribed by law, the evidence of which is to be furnished to the state treasurer.

SECTION 25. For the Western Pennsylvania hospital, five thousand dollars, to be applied to the salaries of officers, and fifteen thousand dollars for the completing of the new Dixmont hospital for the insane. Western Penn-
sylvania hospital

SECTION 26. For the Pennsylvania State Lunatic hospital at Harrisburg, for the payment of salaries and wages, and for repairs to the buildings and machinery, and for the support of the house, the sum of fifteen thousand dollars, or so much thereof as may be necessary: *Provided*, That the said appropriation shall only be paid upon the production of an account to the auditor general, under the oath or affirmation of the principal of said institution, which shall specifically set forth the items of expenditure made or to be made, and the amount of assets received from the several counties of this commonwealth and assessed upon the patients, per capita, and from private sources, and the amount of said assets on hand, and that the state treasurer shall not pay any of the aforesaid appropriation unless such statement shall have been made and certified to by the auditor general. State Lunatic
hospital.

Provide.

SECTION 27. For the Pennsylvania training school for feeble minded children at Media, in the county of Delaware, the usual sum for each pupil, as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed seventy. Feeble minded
children.

Provide.

SECTION 28. For the Philadelphia school of design for women, the sum of two thousand dollars, to be paid out of and deducted from that part of the school fund appropriated to the city of Philadelphia. Philadelphia
school of design
for women.

SECTION 29. For the support of the common schools, to be paid on warrants drawn by the superintendent in favor of the several school districts of the commonwealth, in proportion to the number of taxables therein, by the enumeration of one thousand eight hundred and sixty, the sum of three hundred and three thousand six hundred and twenty-five dollars, inclusive of the salaries of the county superintendents, and of five thousand dollars to the north-western state normal school in Erie county, and of seventy-five cents a year for one copy of the Pennsylvania School Journal, to be subscribed for and sent to each board of school directors in the state, for public use, according to the act of assembly, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-five, for the school year which will begin on the first Monday in June, Anno Domini one thousand eight hundred and sixty-two, to be accounted for in the usual manner: *Provided*, That the city of Philadelphia shall be entitled to a proportion on said basis, without contributing to the salaries of the county superintendents: *And provided further*, That the said north-western state normal schools Common and
Normal schools.

Provide.

shall not alienate nor divert to any other uses than those appertaining to said schools, as provided by law, the whole or any part of the real estate now owned by it, without first reimbursing to the state the whole amount of appropriations which have been made, or may from time to time be made, for its use and benefit; and the superintendent of common schools is authorized to pay their proper portions of state appropriations for the school year, which terminated on the fourth of June, one thousand eight hundred and sixty-one, to the townships of Cass and Union, in the county of Huntingdon, and to Black Lick and Richland townships, Cambria county, and to any other districts which had common schools in operation within said year, but which, owing to unavoidable causes, satisfactory to the Superintendent, failed to keep them open the full term of four months: *Provided*, That said districts shall have complied with the provisions of the school law in all other respects.

Proviso.

Eastern penitentiary.

SECTION 30. For the payment of the salaries of the officers of the eastern penitentiary, the sum of twelve thousand eight hundred dollars, and for repairs of said penitentiary fifteen hundred dollars, and the additional sum of four dollars for each discharged convict, in equal quarterly payments, on or after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-two, and March, Anno Domini one thousand eight hundred and sixty-three; and for books and stationery for the use of the convicts, two hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the auditor general.

Western penitentiary.

SECTION 31. For the payment of the salaries of the officers of the western penitentiary, the sum of twelve thousand dollars, and the additional sum of four dollars for each discharged convict, to be paid in equal quarterly payments, on and after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-two, and March, Anno Domini one thousand eight hundred and sixty-three.

For the payment of the balance due for the completion of block B, the sum of twenty-five thousand dollars, and for work on block C, the sum of ten thousand dollars, to be drawn from the state treasury when satisfactory evidence shall be rendered to the auditor general, that the work has been done according to contract, and that the balance due is not less than the sum so appropriated.

For books and stationery for the use of the convicts, two hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the auditor general.

House of Refuge, Philadelphia.

SECTION 32. For the house of refuge in Philadelphia, twenty thousand dollars.

House of Refuge, Allegheny county.

SECTION 33. For the house of refuge of western Pennsylvania, in the county of Allegheny, for balance of salaries of officers due for the year one thousand eight hundred and sixty-one, two thousand dollars.

For the salaries of officers for the year one thousand eight hundred and sixty-two, seven thousand dollars.

For the construction of sewers and out-houses, one thousand two hundred dollars, or so much thereof as may be necessary.

For the erection of a new and separate building within the enclosure, eight thousand dollars, to be paid as the work progresses, on the presentation, to the auditor general, of estimates of the work actually done, ten per centum of which estimates shall be reserved and held back until the final completion of the work according to contract: *Provided*, That no part of said appropriation shall be paid until satisfactory evidence is furnished the auditor general, that a contract has been executed by responsible parties for the entire completion of the building for a sum not exceeding the amount of this appropriation; and the directors of the said house of refuge shall hereafter allow the inmates, in sickness, and under such regulations as may be established by their by-laws, spiritual advice and ministrations from any regular clergymen of the denominations to which such inmates may belong, the same to be given in sight of, but when requested, beyond the hearing of, any officer of the institution required by the by-laws to be present on such occasions.

SECTION 34. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sum as may be necessary to pay to the widows and children of deceased soldiers such sum or sums, as they may be entitled to receive according to law. Pensions and gratuities.

SECTION 35. For the payment to the city of Harrisburg for supplying the public buildings with water, according to the act of April twenty-eighth, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company, and upon a regular account being rendered to the auditor general, who is hereby authorized to examine and settle the same in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplement, to be paid on the warrant of the auditor general; and the further sum of five hundred and seventy-five dollars for the balance due for gas, for the year ending June first, Anno Domini one thousand eight hundred and sixty-one. Water and gas for public buildings.

SECTION 36. For the superintendent and watchman of the public buildings and grounds, the sum of two dollars and fifty cents per day, during the period of his appointment. Public buildings and grounds.

For new pavement on the east of the capitol, and for brick sewers from the same, with cast iron footings and grates to conductors, the sum of five hundred and eighty-seven dollars, or so much thereof as may be necessary.

For repairs at the governor's house, the sum of four hundred dollars, or so much thereof as may be necessary. Repairs to executive mansion.

For copper sheathing on roof of rotunda, with wooden slat floor over the same, the sum of two hundred and seventy-five dollars, or so much thereof as may be necessary.

For wages and incidental expenses on public grounds, and extending macadamized road to the arsenal, the sum of two thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, under the supervision and direction of the governor and auditor general.

Furnace and fixtures for state library.

For furnace and fixtures complete for heating the law library, the sum of two hundred and ninety-five dollars, or so much thereof as may be necessary, the work to be done under the supervision and direction of the state librarian.

George Bergner, publisher of Legislative Record.

SECTION 37. For George Bergner, seven dollars per page for the Legislative Record, published during the present session of the legislature; the amount to be certified by the superintendent of public printing, and upon such certificate the state treasurer shall pay the same; and for making an index to the same, the further sum of one hundred and fifty dollars is appropriated to the publisher of the Record: *Provided*, That the making of the index does not detain the forwarding of the bound copies more than two weeks; and the said publisher is hereby authorized to continue the publication of said Record at the next session of the legislature, under the terms and conditions of the existing contract, until the two houses otherwise order, or a new contract is made for such publication.

Proviso.

Contract continued.

Fire companies, Harrisburg.

SECTION 38. For each of the fire companies of the city of Harrisburg, the sum of fifty dollars.

Transcribing for committees.

SECTION 39. For transcribing for the committee of ways and means, to be paid on the order of the chairman, the sum of thirty dollars; and for transcribing for finance committee, to be paid on order of the chairman, the sum of thirty dollars.

Miscellaneous expenses of chief clerks of Senate and House.

SECTION 40. That the state treasurer is hereby authorized and directed to pay to each of the chief clerks of the senate and house of representatives the usual per diem for ten days' service after the close of the session, and the usual per diem to three additional officers who may be kept by each clerk to assist him in his duties, and to the chief clerk of the senate and house, for the expense of indexing the journals, the sum of one hundred and twenty-five dollars each, and for indexing the journals of the senate and house of representatives for the extra session of one thousand eight hundred and sixty-one, the sum of twenty-five dollars each, to be settled in the usual manner; and for miscellaneous expenses of the chief clerks of the senate and house of representatives, attendant upon their duties during the recess, each the sum of one hundred dollars.

Compensation of certain clerks.

SECTION 41. That the clerks appointed according to the seventeenth section of the act of May seventh, one thousand eight hundred and fifty-five, shall be allowed the same rate of compensation and mileage as is now allowed to the transcribing clerks by said act, in proportion to the time they shall serve as such; and that so much of said act as authorizes the appointment of said clerks hereafter, be and the same is hereby repealed; and the pasters and folders of the house shall be entitled to the same compensation as the assistant door-keepers.

Repeal.

Pasters and folders.

Mrs. J. R. Miller.

To the wife of J. R. Miller, one of the assistant door-keepers of the house, during the session of one thousand eight hundred and sixty-one, the sum he would have been entitled to, as a retiring officer, for per diem and mileage, if he had been here at the opening of the session; and to William W. Watt, an additional transcribing clerk of the senate, the pay and mileage of a transcribing clerk.

Wm. W. Watt.

John A. Smull.

SECTION 42. For the payment of John A. Smull, for his services to the house of representatives, as an assistant clerk for the

present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the state printer the bound copies of the Daily Record, and forward the same to the address of the members of the legislature as soon as practicable after the adjournment.

SECTION 43. That the state treasurer is hereby authorized to Pages.
pay to the chief clerk of the senate and house of representatives, the sum of one dollar per day for each of the pages employed by the senate and house during the present session, the vouchers for the same to be furnished in the usual manner.

SECTION 44. That the state treasurer is hereby authorized to John Wilson.
pay to John Wilson, at the rate of two dollars per day, for services in cleaning and keeping in order the closets in the basement of the capitol; and also to Thomas Ginkinger, door-keeper in the rotunda, the sum of two dollars per day, the actual number of days employed, and mileage to be certified to by the clerk of the house; and to William Diehl and Jacob Thos. Ginkinger.
Kadebaugh, the sum of two dollars per day and mileage each, Wm. Diehl and J. Kadebaugh.
as assistants.

SECTION 45. For the payment of the firemen having in charge Firemen.
the furnaces in the basement, the sum of two dollars per day, the actual number of days employed to be certified to by the clerks of the two houses.

SECTION 46. For the payment of express charges, packing and distributing bound copies of Daily Legislative Record, the sum of one hundred dollars, or so much thereof as may be necessary; for expense of folding and mailing the back numbers of the Daily Record for the members of the house of representatives, the sum of one hundred dollars, or so much thereof as may be necessary, to be paid to John A. Smull; and to each of the officers of the senate and house of representatives, whether Packing and distributing the Daily Record.
elected or appointed, except the speakers and pages, an extra allowance of one hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages, the sum of ten dollars extra, and to the several women employed by the clerks of the two houses, to cleanse the halls, the sum of ten dollars extra.

SECTION 47. That all annual salaries herein provided for, and Salaries and appropriations, how paid.
also all appropriations to penitentiaries, houses of refuge and charitable institutions, shall be paid quarterly, at the office of the state treasurer, unless otherwise specified by law; and that no money appropriated by this act for any specific object shall be applied to any other, in any of the charitable institutions, penitentiaries or houses of refuge.

SECTION 48. For final balance of guarantied interest due on Guarantied interest.
account of the Danville and Pottsville railroad company, eleven thousand three hundred and fifty-six dollars and sixty-seven cents.

SECTION 49. For payment of expenses attending the cooking and baking of rations and furnishing meals to regiments of discharged Pennsylvania volunteers, on the expiration of the three months' term of service in July last, detained at Harrisburg, Furnishing food to the discharged three months' volunteers detained at Harrisburg.
waiting to be paid, for an average time of about ten days, the sum of seven hundred and forty-four dollars and twenty cents,

or so much thereof as may be necessary, to be settled by the auditor general.

Wm. P. Brady.

SECTION 50. To William P. Brady, for services as librarian of the senate, the same compensation as is allowed to a transcribing clerk; and for distributing and filing the Legislative Record, one hundred dollars, and for services at extra session, one hundred dollars; and also for twenty-one days' extra services, at the same rate allowed for his services as librarian; the said librarian to place forty-copies of the Daily Legislative Record at the public bindery to be bound, thirty-five copies for the use of the senators and principal clerks, four copies for the state library, and one to be reserved for the use of the senate, to be distributed to the senators and clerks, with the laws and journals, by the secretary of the commonwealth; and also thirty dollars, the amount paid for three flags used at the funeral of Colonel Murray, and to be presented to his mother.

Flags for funeral of Col. Murray.

Expenses of special committees.

SECTION 51. That the state treasurer be and he is hereby authorized and directed to pay to each member of the special committees of either the senate or house of representatives, who shall have left Harrisburg on the business of such committee, the sum of twenty-five dollars, and mileage in addition thereto, at the rate of ten cents per mile, to be computed according to the distance actually traveled; and all committees of the house on contested elections, who shall, by direction of the house, have left Harrisburg, shall be entitled to the same pay and mileage; all the above to be paid on the certificates of the chairmen of the respective committees.

Senate comparing clerk, for extra services.

SECTION 52. To the senate comparing clerk of the last session, for services after the close of the last regular session, the usual fifteen days' pay: *Provided*, That the auditor general finds that the services in his proper department were actually performed by him, and that he has received no share of the appropriation of last year, which was intended to compensate such services; to William R. Gardy and A. T. Parker, for services as transcribing clerks, fifteen dollars each, and to John A. Smull, the sum of one hundred dollars, for services after the extra session of one thousand eight hundred and sixty-one.

Wm. R. Gardy,
A. T. Parker,
John A. Smull.

G. S. Berry, trustee.

SECTION 53. To G. S. Berry, trustee, et cetera, the sum of sixty-four dollars and fifty-two cents, and interest on domestic creditors' certificate, number two thousand two hundred and eighty-nine: *Provided*, The auditor general shall be satisfied that the debt whereof such certificate is evidence, has not been paid by the state.

Geo. A. M'Call.

For the payment of Geo. A. M'Call, major general commanding the Pennsylvania Reserve volunteer corps, for ten days' pay and emoluments, from the twenty-fourth day of July to the second day of August, one thousand eight hundred and sixty-one, inclusive, the sum of one hundred and sixty-six dollars and ninety-eight cents, being for the period intervening between the date of last payment by the state, and the date on which payment from the United States government commenced.

John W. Davis.

For the payment of the reverend John W. Davis, for six months' services in the performance of the duties of a post chaplain in Camp Curtin, the sum of three hundred dollars.

SECTION 54. To pay expenses and commissions for negotiating the three millions loan, the sum of six thousand dollars, to be paid on the warrant of the governor, as provided in the second section of the act to create a loan and provide for arming the state, approved the fifteenth of May, one thousand eight hundred and sixty-one. Expenses of negotiating the three million loan.

SECTION 55. To pay for a portrait of the present executive of the commonwealth, to be placed with the portraits of former governors, in the executive chamber, a sum not exceeding two hundred and fifty dollars, or so much thereof as may be necessary, to be expended by the secretary of the commonwealth, and to be settled in the usual manner. Portrait of the governor.

SECTION 56. For F. M. Hutchinson, clerk to the committee to investigate the alleged frauds in the passage of the act of last session, repealing the tonnage tax bill, the sum of two hundred and ninety-six dollars and eighty-five cents; for E. D. Pickett, sergeant-at-arms of the house of representatives, for services in this case, the sum of three hundred and twenty-one dollars and twenty cents; for witness fees and mileage of witnesses in this case, the sum of four hundred and ninety-three dollars and sixty cents. F. M. Hutchinson.
E. D. Pickett.
Witnesses.

For S. J. Rea, clerk to the committee to investigate the alleged frauds in the act of last session, legalizing the suspension of specie payments, the sum of two hundred and sixty-six dollars and seventy cents; for E. D. Pickett, sergeant-at-arms of the house of representatives, for services in this case, the sum of sixty-four dollars and eighteen cents; for witness fees and mileage of witnesses in this case, the sum of sixty-eight dollars and seventeen cents. S. J. Rea.
E. D. Pickett.
Witness fees.

For Joshua Kames, clerk to the committee to investigate the alleged frauds in the contracts for furnishing clothing and equipments for the army, the sum of three hundred dollars; for E. D. Pickett, sergeant-at-arms of the house of representatives, for services in this case, the sum of ninety-four dollars and thirty-six cents, and for witness fees and mileage of witnesses in this case, the sum of fifty-eight dollars and fifty-one cents. Joshua Kames.
E. D. Pickett.
Witness fees.

For witnesses who testified before the senate committee to investigate the alleged frauds in the affairs of the Bank of Commerce, the sum of six hundred and thirty-five dollars and ninety-six cents; and to H. C. Rogers, for services as clerk, sergeant-at-arms, and for incidental expenses in this case, the sum of two hundred and fifty-dollars. H. C. Rogers.

The sums herein appropriated to the payment of the expenses of the several investigating committees, shall be paid to the several persons entitled thereto, on certificate of the chairmen of the respective committees. Expenses of investigating committees, how to be paid.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

upon said agricultural grounds, as well as to the annual exhibitions thereof.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 465.

AN ACT

To protect Trout in the waters of Emeigh's run and Moore's run, in the county of Blair, and in Spruce creek, in the county of Huntingdon.

Catching or killing trout in certain streams prohibited.

Proviso.

Penalty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person or persons to take, catch or kill any trout in any of the waters of Emeigh's run and Moore's run, in Blair county, or the waters of Spruce creek, in Huntingdon county, by means of baskets, seines, nets or snares or trap of any kind whatever, or by means of lime or other poisonous substances: *Provided,* That it shall be lawful to take, catch or kill any trout in any of the said streams of water, by angling, between the first days of April and October, in each year, and at no other period.

SECTION 2. That any person or persons violating the provisions of this act, shall forfeit and pay the sum of five dollars for every offence, to be recovered before a justice of the peace by an action of debt in the name of the commonwealth; one-half of said sum to be for the use of the informer, who is hereby made a competent witness in such action, and the other half for the use of the directors of the poor and house of employment for the county in which the offence shall have been committed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 466.

A FURTHER SUPPLEMENT

To the act, entitled "An Act for the regulation and continuance of a system of Education by Common Schools," approved the eighth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That twenty-two days shall be held to be the common school month, in all contracts with teachers, and other operations of boards of directors or controllers, in reference to the term of instruction of the schools, and that no common school shall be kept open, for the purposes of ordinary instruction, on any Saturday, but two Saturdays of each month, as the proper board of directors may designate, shall be appropriated to exercises, or institutes, for the improvement of the teachers of the district: *Provided,* That in districts in which the schools are, or shall be, kept open and in operation the maximum term now allowed by law, and the teachers employed by the year and not by the month, the foregoing clause, as to the number of days in the school month, shall not apply, any further than that the reports and statistics of the schools shall be kept in accordance therewith, and that district institutes shall be held as thereby directed.

Number of days
in common school
month fixed.

Provided.

SECTION 2. That when two or more candidates shall have an equal number of votes for the same term of office, at any election of directors or controllers, whereby their election shall be prevented, the said candidates shall appear at the next regular meeting of the board of directors or controllers, which said board shall determine their rights to seats therein, in the following manner: ballots shall be prepared, equal in number to the opposing candidates, on one-half of which, the word "director" shall be written, whereupon the said candidates shall each draw, from a proper receptacle, one of said ballots, and the candidate or candidates drawing the ballot or ballots marked "director," shall be held and deemed duly elected to the said office of director or controller; and if vacancies are to be filled, at any election of directors, in addition to the persons to be elected for the regular term, and the voters shall all neglect to designate, on their tickets, the term of office for which each person voted for is a candidate, then the person or persons having the highest number of votes, shall be declared elected for the longest term or terms; the next highest in vote, after the filling of the longest term, shall be declared elected for the next longest term, and so on, till all the terms vacant shall be filled.

In cases where
there is a tie vote,
at an election for
directors, the
board shall de-
cide the question

Mode of proceed-
ing.

Vacancies.

SECTION 3. That the terms, "stated meeting," or "regular meeting," of a board of directors or controllers, whenever they occur, in the act to which this is a further supplement, shall, hereafter, be taken to mean the first meeting thereof, for organi-

The meaning of
"stated and reg-
ular meetings of
boards" defined.

zation, after the annual election of directors or controllers, and the monthly, or other periodical meetings, held thereafter, in accordance with the standing regulations of the board; but, if there are no standing regulations, then every meeting, held in succession, from said first meeting for organization, by adjournment to a time and place certain, and so entered on the minutes of the proper board, shall be, to all intents and purposes, regarded as a regular meeting.

No action to be taken by directors except by the affirmative vote of a majority.

SECTION 4. That no tax for school or building purposes shall be levied, no resolution shall be adopted for the purchase or sale of any school real estate, no school house shall be located, or its location abandoned or changed, no teacher shall be appointed or dismissed, no annual school term shall be determined on, nor shall any general course of studies be adopted, or annual series of text-books be selected, in any common school district, except by the affirmative votes of a majority of the whole number of the directors or controllers thereof; and, in each of said cases, the names of the members voting, both in the affirmative and the negative, shall be so entered on the minutes of the board by the secretary; and, immediately after the annual appointment of teachers, in each district, the secretary of the board shall send a written list of the names, and the schools to which they have been respectively appointed, to the proper county superintendent, with a notice of the day upon which the ensuing term of school, in the district, will commence, and the termination thereof, as directed by the board.

Secretary to send list of teachers appointed to the county superintendent.

Minimum occupation tax to be assessed upon male taxables of twenty-one years of age.

SECTION 5. That upon every resident male taxable, of the age of twenty-one years, whose name is found entered upon the last adjusted valuation, furnished according to law, to any board of directors or controllers, by the commissioners of the proper county, as a basis for the assessment of the school tax, or which may be contained in the additional assessment, authorized by the thirty-fifth section of the act to which this is a further supplement, the proper board of directors or controllers shall assess the minimum occupation tax, now allowed by law, to be collected with the other school tax of the district, now payable by such person.

Rate of tax on watches, offices, &c.

SECTION 6. That the school tax on all watches and pleasure carriages, shall be at the same rate, on the adjusted valuation thereof, as upon other property, taxable by rate, in the proper district, and no more; and all offices and posts of profit, salaries and emoluments of office, shall only be taxed, at the regular rate of school tax of the district, upon the whole amount of the valuation thereof, and no more.

Tax on money and real estate held in trust.

SECTION 7. That all money now, or hereafter, to become taxable for common school purposes, and held, used or invested by any person, company or corporation in trust, for the use, benefit or advantage of any other person, company or corporation, shall only be assessed in, and subject to school tax, for the benefit of the school district within which the trustee thereof resides, or has his usual place of business; and all real estate, so taxable for school purposes, and in the charge or possession of any trustee, as aforesaid, shall be assessed in, and subject to school tax, for the benefit of the school district within which the same

is situated; and this section, so far as the same is inconsistent with any former statute or decision, shall only take effect in the assessment and collection of school taxes levied for the school year, which will commence on the first Monday in June, one thousand eight hundred and sixty-two, and the succeeding years.

When this section to take effect

SECTION 8. That from all school taxes on unseated lands, voluntarily paid to the school collector or treasurer of the proper district, previous to the first day of May, next after the date of the school tax duplicate thereof, there shall be allowed a reduction, or abatement, of five per centum; and to all such tax, remaining unpaid more than one year from said first day of May, an addition of five per centum shall be added to the amount first assessed.

Abatement from taxes on unseated lands paid before first of May.

Addition to same.

SECTION 9. That when an independent school district shall be established, the proper court shall, in the decree therefor, designate the time and place for holding the annual elections of directors therein, and appoint two persons to hold the first election, at a time appointed, therefor, who shall give ten days' notice thereof, by printed or written handbills, put up at not less than six public places within said district, at which first election six directors shall be chosen, two for three years, two for two years, and two for one year then next ensuing, and thereafter two directors shall be chosen for three years, at the annual election to be called and held by the president and secretary of the board, at the time and place, and in the manner, in said decree therefor appointed, said election, in all other respects, to be conducted in conformity with the existing school law; and that, in independent districts, established, or hereafter to be established, by the legislature, without specifying the mode, time or place of electing directors, the first election shall be held at such time and place, within the proper district, as shall be specified by written or printed notices thereof, put up at not less than ten public places therein, signed by not less than five taxable citizens thereof, and giving ten full days' notice of such election, and subsequent elections shall be held at such time and place, annually, as shall be designated by similar notices, signed by the president and secretary of the proper board; said elections, in all other respects, to be held and conducted in the manner in this section before provided.

Independent school districts.

Election of directors therefor, how conducted.

SECTION 10. That when a portion of a common school district is detached therefrom, by the alteration of township or borough lines, or when an independent school district is abolished, such alteration, or abolition, shall not take effect, for school purposes, till the commencement of the school year, next after the end of that in which it shall have been decreed and confirmed, and the directors in the detached portion, or in the abolished district, as the case may be, shall continue to exercise their office till the end of the year in which said alteration, or abolition, occurred; and that the school real estate and movable property within any detached portions of districts, or abolished districts, shall pass, with the territory on which they are situated, to the district or districts to which such territory becomes

Changes in boundaries of districts and abolition of independent districts, relative to

Effect of.

detached, or reverts, with like right in the directors thereof to use or sell the same, as the proper directors had before the alteration, or abolition; and if any money be on hand, or debt unpaid, or any tax, or other claims, be uncollected, after the settlement of all accounts of the current year, the proper court shall divide said money, or debt, amongst the districts thus acquiring territory, in such proportions, and shall make such order as to uncollected tax, or other claims, due by said abolished district to any person or persons, as shall be just; and any sum thus decreed to be due by any district, to any district or individual, shall be entered, in the nature of a judgment, against the same, and shall be subject to execution, in the manner prescribed by the twenty-first section of the general common school law of the eighth of May, one thousand eight hundred and fifty-four.

Formation of
new districts.

SECTION 11. That when a new school district is formed, the court establishing the same shall determine, on hearing, whether an undue proportion of the real estate and school houses, belonging to the old district or districts, are within the bounds of the new district, and if so, how much money shall be paid therefor by the new to the old district or districts, and if any money be on hand, or debt unpaid, or any tax, or other claims, be uncollected, after the settlement of all accounts of the current year, the proper court shall divide said money, or debt, amongst the districts, in such proportions, and shall make such order as to uncollected tax, or other claims, as shall be just; and any sum thus decreed to be due by any district, to any district or individual, shall be entered, in the nature of a judgment, against the same, and shall be subject to execution, in the manner prescribed by the twenty-first section of the general common school law of the eighth of May, one thousand eight hundred and fifty-four.

Repeal of certain
words relative to
abolition of inde-
pendent districts

SECTION 12. That the words, "or continue the same for any period not exceeding five years, at any one time: *Provided*, If any district shall be discontinued, the school property of said district shall be disposed of, as is required by existing laws," in the act, entitled "An Act relative to the abolition of independent school districts, created or continued by the courts," passed on the twentieth day of May, one thousand eight hundred and fifty-seven, be and the same are hereby repealed.

Secretary may
file in prothono-
tary's office certi-
ficate of tax due
and unpaid by
collectors.

SECTION 13. That the secretary of any board of directors or controllers may, at any time within one year from the delivery of the duplicate of school tax to the collector thereof, file a certificate, signed by the president, and attested by the secretary, in the office of the prothonotary of the court of common pleas of the proper county, stating the amount of said tax due and unpaid by said collector, at the date thereof, and it shall be the duty of the prothonotary to enter the same on his docket, which certificate shall, from such entry, have the same operation and effect as a judgment of said court, against said collector and his sureties, and execution may be issued thereon, in like manner as in judgments, for the amount remaining unpaid at the date of said execution, at any term of the court aforesaid.

To have effect of
judgment.

SECTION 14. That every person selected or appointed county superintendent of common schools, shall, before entering upon the duties of his office, take an oath, or affirmation, before any judge of the court of common pleas of the proper county, or before the superintendent of common schools, who is hereby authorized to administer the same, that he will perform all the duties of county superintendent, during his term of office, honestly, impartially, diligently, and according to law, to the best of his skill and ability, which said oath or affirmation, being subscribed by said county superintendent, and attested by said judge, or state superintendent, shall be filed in the department of common schools.

County superintendents to take oath.

SECTION 15. That the annual report now, by law, required to be made to the superintendent of common schools, by the trustees of each state normal school, shall hereafter be made in the month of October, instead of June, annually.

Annual report of trustees of Normal schools to be made in October.

SECTION 16. That the trustees of any academy, or seminary, in this commonwealth, which received money or land therefrom, for educational purposes, are hereby authorized and empowered to convey, by deed of not less than two-thirds of their number, to be approved by the court of common pleas of the proper county, all the real estate, buildings and property, and funds of, or belonging thereto, to the board of directors, and their successors in office, of the common schools of the district in which the main building thereof may be situated, to be used and applied by said directors for the purposes of common school education therein, and for no other purpose: *Provided*, That when a high common school shall have been established therein, by means of said property, the citizens of the county within which said district is situated, shall have the right to have their sons and daughters admitted into such high school, if duly qualified, on paying to the treasurer of said district the same rate of tuition, for each, which it shall annually cost said district, per student, to keep said high school in operation, without adding anything thereto for the use of the building.

Trustees of academies or seminaries authorized to convey real estate, &c., to boards of directors.

Provide.

SECTION 17. That it shall not be lawful for any director, or president of any school board, in this commonwealth, to be interested in the furnishing of books, or any other supplies, for said school.

Directors not to be interested in furnishing books.

SECTION 18. That it shall be the duty of the board of directors, in each school district, to publish an annual statement of the amount of moneys received and expended, and the amount due from collectors, and setting forth all the financial operations of the district, in not less than ten written or printed hand-bills, to be put up in the most public places in the district.

Directors to publish annual statements of moneys received and expended, &c.

SECTION 19. That all laws, or parts of laws, hereby altered or supplied, or inconsistent herewith, and the ninth section of the act, entitled, "An Act relating to the common schools of the city of Lancaster," approved January twenty-second, one thousand eight hundred and fifty, are hereby repealed, except that none of the provisions of this act shall extend to the city of Philadelphia; and in future digests of the school laws, the state superintendent is hereby authorized to omit therefrom, such portions thereof as are, or shall be repealed, and to insert the sections of this act, and of such future acts as may be passed,

Repeal not to extend to Philadelphia.

Digests of school laws.

relative to the school system, in their proper relative positions in such digest.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 467.

AN ACT

To vacate a part of Cherry alley, in the borough of West Greenville, in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that portion of Cherry alley, in Keck's addition to the borough of West Greenville, in the county of Mercer, immediately in the rear of lots numbers eighty-five, eighty-six, eighty-seven and eighty-eight, extending from Mercer street, on the east, to an alley between the property of E. R. Lashells and S. M. Hanna, in said borough, on the west, be and the same is hereby vacated, and the title to the land over which said portion of said Cherry alley was laid, is hereby vested in the owner or owners of the lots adjoining said vacated portion of said alley, and he or they are hereby authorized and empowered to enter upon and possess the ground so vacated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 46S.

A N A C T

Granting to the Supreme Court jurisdiction of a Court of Chancery in all cases of Mortgages, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supreme court of this commonwealth shall have and exercise all the powers and jurisdiction of a court of chancery, in all cases of mortgages given by corporations.

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 469.

A N A C T

Requiring the resumption of Specie Payments by the Banks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of any act of assembly, as declares or authorizes the forfeiture of the charter of any bank of incorporation, having banking privileges, or inflicts any penalties or restrictions, or authorizes any compulsory assignment for, or by reason of the failure or refusal of any such bank or incorporation to redeem its notes, and pay its liabilities in gold and silver coin, since the seventh day of October, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby suspended, until the first Tuesday in February, Anno Domini one thousand eight hundred and sixty-three; and all forfeitures, penalties or liabilities heretofore incurred by any such bank or incorporation, by reason of any failure to redeem its notes, and pay its liabilities in gold and silver coin, be and the same are hereby remitted; and the notes of the solvent banks of this state, which were

Extension of
time for the re-
sumption of spe-
cie payments.

Certain penalties
and liabilities
remitted.

Notes, how to be taken and computed.	paying specie on the nineteenth day of November, Anno Domini one thousand eight hundred and sixty, and the notes issued by any bank incorporated under the provisions of an act, entitled "An Act to establish a system of free banking in Pennsylvania, and to secure the public against loss from insolvent banks," approved March thirty-first, one thousand eight hundred and sixty, and a supplement thereto, approved the first day of May, one thousand eight hundred and sixty-one, and the demand or other notes that have been, or may be issued, and made a legal tender by the government of the United States, shall be deemed, taken and computed for all purposes, as the notes of, and balances due from specie paying banks, from the said seventh day of October, Anno Domini one thousand eight hundred and sixty-one, until the first Tuesday in February, Anno Domini one thousand eight hundred and sixty-three; and all forfeitures or penalties incurred by any bank or corporation for, or by reason of their having used, treated or computed the notes of such suspended banks of this state, as were paying specie on the nineteenth day of November, Anno Domini one thousand eight hundred and sixty, and the notes issued under the provisions of the said act of March thirty-first, one thousand eight hundred and sixty, and the supplement thereto, as the notes of specie paying banks are hereby remitted; and so much thereof as prohibits any bank from making loans and discounts, issuing its own notes, or the notes of other banks incorporated under the laws of this commonwealth, though not specie paying, or declaring dividends, during the suspension of specie payments, or from loaning or discounting, without the requisite amount of specie or specie funds as aforesaid, be and the same is hereby suspended until the day and year aforesaid: <i>Provided</i> , That it shall be lawful for the said banks to pay out the demand or other notes, that have been or may be issued and made a legal tender by the government of the United States; <i>And provided</i> , That the banks of this commonwealth, incorporated in pursuance of any law or laws thereof, may issue notes of the denomination of one, two and three dollars, to the amount of thirty per centum of their capital stock paid in; said notes to be signed by or on behalf of the president or cashier of the bank so issuing the same: <i>Provided</i> , That this act shall be so construed as to extend to banks incorporated under the provisions of an act, entitled "An Act to establish a system of free banking in Pennsylvania, and to secure the public against loss from insolvent banks," approved the thirty-first day of March, one thousand eight hundred and sixty, and the supplement thereto: <i>And provided further</i> , That so much of the act of April sixteenth, one thousand eight hundred and fifty, section ten, article thirteen, or any other act or part thereof, as provides that such corporations shall not be at liberty to purchase any stock whatever, to a greater amount than one-third of the capital stock actually paid in, shall not apply to the loan, or stock, or treasury or other notes or bonds of the United States, or of the State of Pennsylvania.
Penalties remitted.	
Loans, discounts, dividends, &c.	
Banks authorized to pay out notes made legal tender by United States.	
May increase issue of small notes.	
This act to extend to banks incorporated under free banking law	
Purchase of United States or state loan, stocks, &c., relative to.	
Sureties of cashiers.	SECTION 2. That the sureties of every cashier of a bank, in this commonwealth, shall be residents of the county in which such bank is or shall hereafter be established, and no cashier

shall act in that capacity until the provisions of this section shall be complied with, under a penalty of five hundred dollars, to be recovered at the suit of any party suing for the same.

SECTION 3. That for the purpose of paying in specie or its equivalent, all interest that shall hereafter become due and payable by this commonwealth, as required by the act of June twelfth, one thousand eight hundred and forty, the several banks, who shall avail themselves of the provisions of this act, and who shall refuse to redeem their notes in specie, on demand, at any time within ten days, upon or after the time when such interest shall become due and payable, shall hereafter, when required by the state treasurer, by notice in writing, pay into the state treasury, in proportion to the capital stock paid in of such bank, within thirty days after the state shall have paid such interest, their rateable proportion of such premium for gold or its equivalent, as shall have been actually paid by the state, and in default, the state may sue for, and recover the same by due process of law.

Banks required to redeem their notes in specie for payment of interest due by state.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN

No. 470.

AN ACT

To protect the Wages of Labor in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all assignments of property, whether real or personal, which may hereafter be made by any person or persons, firm, company or association, whether chartered or not, to trustees or assignees, on account of inability, or pretended inability, at the time of such assignment, to pay his, her, their, or its debts, the wages and salaries of persons employed by such person or persons, firm, company or association, shall be preferred and paid, by such assignees or trustees, before any other creditors of such assignor or assigners.

Wages and salaries to have preference in payments by assignees or trustees.

SECTION 2. That in case of the death of any person, resident within this commonwealth, the wages or salaries of any person employed by him, shall be first paid out of his estate, before

In case of death, or dissolution of firm, wages, &c., to be first paid.

- Exception.** any other debts, except necessary funeral expenses, and medicine and attendance, furnished in the last sickness; and in case of the dissolution of any firm, company or association, as aforesaid, or of the private sale or transfer, or determination whatsoever, of the business of such firm, company or association, the wages and salaries of persons employed by them, shall be a lien upon their property, and shall be first paid out of the estate, effects and assets of such firm or company.
- Sheriff to give notice to employees of writs of execution, &c., issued.** SECTION 3. That in all cases of executions, landlords' warrants, *venditioni exponas*, *levari facias*, and writs of a like nature, hereafter to be issued, for the sale of real or personal property, against any person or persons, firm, company or association, as aforesaid, it shall be the duty of the sheriff, or other officer executing such writ, to give to the persons employed by the defendant in said writ, notice of the issuing thereof, by ten written or printed handbills, put up in public places in the neighborhood of the property to be sold, at least ten days before the proposed sale, requiring them to make known to him, before the sale of said property, the kind and amount of their respective claims against such defendant; and such claims, when so made known, shall be first paid out of the proceeds of such sale, by the officer or court making distribution; such claims being subject, however, to all legal objections which may be made as to the amount or existence thereof.
- Amount of claims, &c., due employees to be made known before sale.** SECTION 4. That the claims for wages, or an account of salaries, mentioned in the foregoing sections, shall be a lien on the real estate of the person, firm, company or association liable to pay the same, prior and superior to all other liens upon said real estate, except the lien of judgments and mortgages given for the purchase money of the property on which there are liens, and the liens of judgments and mortgages entered prior to the commencement of the work for which such wages are due, and the liens of mechanics and material-men, filed under the act of sixteenth June, one thousand eight hundred and thirty-six, and its supplements, and except as may be in the foregoing sections excepted: *Provided*, That the persons who may be entitled to demand the claims intended to be preferred by the provisions of this act, shall, in every case, first exhaust the proceeds of the personalty, if there be such, before resorting to the realty, and that no one claim so preferred, or hereby made a lien, shall exceed the sum of one hundred dollars: *Provided further*, That the lien provided for shall not continue beyond the period of six months, from the end of the time during which the work or service was rendered, unless judgment for the amount due shall, before that time, have been received, and a transcript thereof filed and docketed in the office of the prothonotary of the court of common pleas of the proper county.
- Subject to.**
- To have priority as liens.**
- Exception.**
- Proviso.**
- Proviso.**
- To apply only to work done six months before assignment, death, &c.** SECTION 5. That the provisions of the foregoing sections shall only apply to cases for the recovery of wages of labor done and performed, within six months immediately preceding the assignment, death, levy by execution, mentioned therein.
- Appeals.** SECTION 6. That in all cases in appeals, by defendants, from the judgment of justices of the peace, or award of arbitrators, obtained in any suit brought, or to be brought, for the recovery of wages or salaries, by any miner, mechanic, laborer or clerk

against any person or persons, or chartered company, engaged in the mining of coal or manufacture of iron, either as owner of the soil or having a lease of coal mine or mines, furnace or rolling mill, the said defendant, or his agent or attorney, shall, before any such appeal be granted, declare, on oath or affirmation, in writing, that the appeal is not for the purpose of delay, but that the judgment to be appealed from is unjust, and for more money than is justly due.

SECTION 7. That the provisions of this act shall extend only To extend to. to the counties of Schuylkill, Bedford and Blair.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 471.

AN ACT

Relating to the Crier of the Court of Common Pleas of the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the expiration of the commission of the present sheriff of the county of Berks, the fee of twelve and one-half cents in every suit brought in the court of common pleas of said county of Berks, taxed and charged in the name of the crier of said court of common pleas, shall belong and be paid to said crier.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 472.

AN ACT

Relative to the Claim of John Loban.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general, auditor general and state treasurer be and they are hereby authorized and required to examine the claim of John Loban, of Dauphin county, for damages, which he sustained by the soldiers in Camp Curtin taking his vegetables, et cetera, and whatever amount they shall find due him, the state treasurer is hereby authorized and required to pay the same out of any moneys in the treasury not otherwise appropriated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 473.

AN ACT

To repeal the second section of an act to reduce the rate of payment for advertising delinquent Tax-Payers, and the collection of taxes in the city of Philadelphia, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the act, approved twenty-first day of March, in the year of our Lord one thousand eight hundred and sixty-two, entitled "An Act to reduce the rate of payment for advertising delinquent tax-payers, and the collection of

taxes in the city of Philadelphia," be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 474.

A N A C T

To repeal an act, entitled "An Act relative to the School District of the borough of Shelocta, in the county of Indiana," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act relative to the school district of the borough of Shelocta, in the county of Indiana," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby repealed.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 475.

AN ACT

Relating to the Lien of Judgments against persons in military service.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Plaintiffs in judgments against persons in military service may issue writs of *scire facias* for revival of same.

in all cases, where there are judgments against any person or persons, who have been, or may be, mustered into the service of this state, or of the United States, it shall be lawful for the plaintiff, or plaintiffs, in such judgments, to issue writs of *scire facias* for revival of the same, the issuing of which writ, on any such judgment shall be sufficient to continue the lien of the same, but judgment of revival shall not be entered during the time the defendant is, or defendants are, in actual service, as aforesaid; and before taking judgment, after such defendant, or defendants, shall have been discharged from service, it shall be the duty of the plaintiff, or plaintiffs, to give notice to the defendant, or defendants, of the intended application to the court for judgment, at least ten days before such judgment shall be asked for, and said defendant, or defendants, shall have the right to enter an appearance and take defence, as in other cases.

Notice of intended application for judgment to be given to defendant, when discharged from service.

When an *alias scire facias* may be issued, &c.

SECTION 2. That if, within three months after the term of service of any such defendant, or defendants, shall have expired, or when they shall have been discharged, he or they shall not return to, and acquire a residence in, the county in which such judgment is entered, it shall be lawful for the plaintiff, or plaintiffs, to issue an *alias scire facias*, and upon a return of *nihil* thereon, the court may render judgment of revival of such judgment.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 476.

A N A C T

To vacate Culvert street, in the Twenty-third ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Culvert street, in the Twenty-third ward of the city of Philadelphia, as laid down on the plan of said city, and not opened, be and the same is hereby vacated.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 477.

A N A C T

To enable the Heirs of Robert Hunter, deceased, the Heirs of Samuel Griscom, deceased, the Heirs of Nathan Jones, deceased, and the Farmers' Bank of Reading, to amicably compromise and settle their adverse claims to a certain tract of land in Branch township, Schuylkill county, by a division of the soil and mineral rights in said land.

WHEREAS, Heirs and descendants of Robert Hunter, deceased, and heirs and descendants of Daniel Jones, deceased, claim title to a certain tract of land in Branch township, in Schuylkill county: Preamble.

And whereas, The same land is claimed adversely by the heirs and descendants of Samuel Griscom, deceased, and the Farmers' Bank of Reading:

And whereas, The several adverse claimants propose to make a compromise and settlement of their adverse claims, respectively, by a division of the soil and mineral rights in said land, and by setting a separate portion of the soil, and the mineral right under said soil, and other portions of the land, to the heirs and descendants of Robert Hunter, aforesaid, and also a separate

portion of the soil, and the mineral right under the same, and under other portions of the land, to the heirs and descendants of said Daniel Jones, deceased, and also the remaining portions of the soil or land, exclusive of the mineral rights aforesaid, to the said heirs of Samuel Griscom, deceased, and the Farmers' Bank of Reading; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

The several claimants authorized to make settlements, &c., through their guardians.

the several parties, claimants to undivided interests, or adversely to each other, to a certain tract of land in Branch township, in Schuylkill county, surveyed under a warrant granted, by the commonwealth of Pennsylvania, to Daniel Jones, now deceased, and who are in their minority, may make such compromise and settlement of their several and respective claims to said land, and make such partition and separate allotments of said land, by and through their guardians, respectively, and by and through such guardians, as aforesaid, execute and deliver such deeds of partition, of release, of confirmation and of conveyance and compromise as shall be approved by the orphans' court of Schuylkill county.

Deeds to be approved by court.

Lunatics may be represented in compromise by committees appointed.

SECTION 2. That, in like manner, such of said parties interested, as aforesaid, who are *non compotes mentes*, shall act and become parties to such compromise and partition through, and be represented by, any committee or committees, duly appointed upon proceedings under a commission of lunacy, and shall, by and through such committee or committees, have authority to make and execute all such deeds as are stated in the next preceding section, subject to the approval of the court of common pleas for said county.

Subject to.

Parties, whose interests are vested in trustees, &c., may join in compromise.

SECTION 3. That, in like manner, such of said parties equitably interested, and whose interests have become vested in a trustee or trustees, assignee or assignees, may act and become parties to such compromise and partition, and make and execute deeds, as aforesaid, subject to the approval of the court of common pleas aforesaid.

Wives may become parties to same.

SECTION 4. That, in like manner, such of said parties who are *feme covert*, may become parties to such compromise and partition, by uniting with their husbands, respectively, in the deeds and conveyances aforesaid.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 478.

AN ACT

To provide for the proper execution of the sixteenth section of the act, entitled "An Act to create a Loan and provide for Arming the State," approved May fifteenth, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be, and he is hereby required, to prepare and furnish printed instructions and forms, for making proof of service of the soldiers in any regiment from this state, who may have died, or may hereafter die, after being mustered into the service of this state, or of the United States, leaving a widow and minor children, or a minor child or children, and no surviving mother, as provided in the sixteenth section of the act, recited in the title hereof, and also for making proof of the widowhood, childship and minority aforesaid, as the case may require; such forms to be conformed, as near as may be, to the forms prescribed by the commissioner of pensions of the United States, in similar or analogous cases.

The auditor general to prepare forms, for proof of service of soldiers, who may die leaving widows and minor children.

SECTION 2. That on proof being made, to his satisfaction, as aforesaid, the auditor general shall, in each case, make a certificate, in duplicate, to the state treasurer, under his hand and seal of office, one of which shall be given to that officer, and the other to the party entitled to receive the money, in which certificate he shall set forth the names of the parties entitled to receive the amount provided in the sixteenth section of the act aforesaid, and the time for and during which such amount is to be paid, and the date from which such amount shall be reckoned shall be the day of the death of each soldier, respectively.

Certificates of name of parties, time, &c., to be made by auditor general to the state treasurer.

SECTION 3. That the allowance, or pension, so provided, shall be payable, semi-annually, at the treasury, on the same days as other pensions and gratuities are now made payable by law, (the first payment to include the time which may have elapsed from the date of the death of the soldier, up to that day,) either to the person in whose favor such certificate shall be granted, on presentation thereof, or on his or her power of attorney, duly drawn, executed and acknowledged, in such form as the auditor general shall prescribe.

Amount due to be reckoned from day of death.

Payments, when and how to be made.

SECTION 4. That all payments of such allowances, or pensions, to minors, as prescribed in said sixteenth section, shall be made to their guardians, duly appointed by the proper orphans' court, on the filing of a certified copy of their appointment with the state treasurer.

Allowances to minors to be paid to guardians.

SECTION 5. That whenever a widow shall marry, or die, as mentioned in the sixteenth section of the act aforesaid, on due proof of the fact being made to the auditor general, in such form as he shall prescribe, he shall grant a certificate to the minor entitled to receive such allowance, or pension, and on the pre-

Certificates of widows, marrying or dying, to be cancelled and others in lieu thereof to be given to children

sentation thereof to the state treasurer, he shall return the certificate, previously granted in such case to the widow, to the auditor general, who shall cancel the same.

Payment of pension to cease in certain cases.

To whom the provisions of this act to extend.

SECTION 6. The payment of every such pension, or allowance, shall cease and determine whenever all the minor children, under fourteen years of age, of any soldier who may have died in service, as aforesaid, shall die, though they may leave a widowed mother then surviving: *Provided*, That the provisions of this act shall be construed to extend to the widow and minor children of such soldiers as shall be entitled, by law, to the benefits of said act, approved May fifteenth, one thousand eight hundred and sixty-one.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 479.

AN ACT

Relative to the use and disbursement of Road Taxes in Rose township, Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, all taxes assessed and levied in Rose township, Jefferson county, for road purposes, that is, for opening new roads, repairing old roads, repairing or building bridges, or cash tax to pay road debts, shall be used only for that part of the township where the taxables reside, who have to pay the same; and that Red Bank creek, in said township, shall be the division line for road purposes aforesaid.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 480.

A N A C T

For the relief of William Vincent.

WHEREAS, William and John Vincent became the purchasers, at commissioner's sale, of in-lots in the town (now borough) of Waterford, in the year one thousand eight hundred and fifteen, and, among others, of in-lot number four hundred and sixty-seven, of which lot the said William Vincent became the sole owner, by purchase from the said John Vincent, in the year one thousand eight hundred and twenty, and has occupied the same uninterruptedly, from that time until now:

And whereas, By an oversight of the said commissioner, who has long been dead, no return has been made of the sale of said lot, as aforesaid, and the said William Vincent is, therefore, unable to procure a patent; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the surveyor general is hereby authorized and required to issue a patent to the said William Vincent, of the borough of Waterford, in the county of Erie, for in-lot number four hundred and sixty-seven, in said borough, on the same terms as if said lot had been returned duly sold to the said William Vincent, by the commissioner of sales for lots in said town of Waterford.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 481.

A N A C T

Relating to the Courts in Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

hereafter the regular November term of the several courts of Susquehanna county shall commence on the second Monday of November in each year, instead of the third Monday, as now by law provided.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 482.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Western Clinical Infirmary."

Preamble.

WHEREAS, By an act of assembly, approved the eighth day of May, one thousand eight hundred and fifty-four, the Western Clinical infirmary was incorporated :

And whereas, By a decree of the court of quarter sessions of Philadelphia county, the name of said corporation was changed to the Howard hospital and infirmary for incurables ; therefore,

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of the act to which this is a supplement be and the same is hereby repealed, and the medical board of said corporation shall hereafter be constituted as follows, namely:

Medical board.

That Joseph Klapp, M. D., J. Aitken Meigs, M. D., George R. Morehouse, M. D., William Darrach, M. D., Samuel W. Gross, M. D., Lawrence Turnbull, M. D., Charles Neff, M. D., D. D. Clark, M. D., William B. Atkinson, M. D. and J. Rufus Tryon, M. D., together with such others as may be hereafter elected, constitute the medical board of this corporation, and that they

How long to continue in office.

continue in office until they, or either of them, resign, or be removed by the board of managers, upon the recommendation of a majority of a joint committee, composed of four members from each board ; the president of the board of managers shall preside at the meetings of the committee, but shall not vote, except in the event of an equal division, when he shall give the

President of the board.

Committee, how constituted.

casting vote ; the committee shall be constituted as follows: Whenever a complaint against a physician shall be made, in either board, such board shall at once appoint its members of the

committee, and notify the other board thereof, and the latter shall, in one week after the receipt of such notice, appoint its members of the committee, and the committee shall proceed forthwith to investigate the complaint, and shall report thereon to the board of managers, at a stated or special meeting, to be held within two weeks after their being constituted as aforesaid; in case the committee shall not be fully constituted, or having been constituted, shall not report within the times, respectively, above appointed therefor, the board, which first appointed its members of the committee, shall at once proceed to act on the complaint, and determine whether or not the same is sustained, and if sustained, the board of managers shall forthwith remove the party complained of, from his office; vacancies occurring in the medical board, by death, resignation or removal, as aforesaid, shall be filled by such persons as the board of managers shall elect, by ballot, from nominations presented in writing by the majority of the remaining members of the medical board; in the event of such nominations not being presented to the board of managers, within two months after the occurrence of such vacancy, the said board shall proceed to the election of any person, being a doctor of medicine, whom they shall consider competent to fill the vacancy; such new members to possess all the privileges of the medical board hereby instituted.

Proceedings and duties of.

Vacancies, how filled.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 483.

AN ACT

For the relief of Job H. Jackson and Thomas J. Baker.

WHEREAS, Job H. Jackson and Thomas J. Baker, executors of the last will and testament of Ruth J. Sheldon, late of the borough of West Chester, in the county of Chester and state of Pennsylvania, deceased, filed their account in the register's office, in said county, which was, on the eleventh day of March, Anno Domini one thousand eight hundred and sixty-two, duly confirmed:

And whereas, Said executors, within three months of the death of the decedent, paid collateral inheritance tax upon the

sum of fifteen thousand two hundred and sixty-three dollars, and upon a final settlement of said estate, it has been judicially ascertained that there was but the sum of thirteen thousand six hundred and eighty-six dollars and sixty-one cents, subject to collateral inheritance tax, and the said executors have, therefore, overpaid said tax to the amount of seventy-four dollars and eighty-eight cents:

And whereas, The state treasurer possesses no legal authority to refund said sum; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer pay unto Job H. Jackson and Thomas J. Baker, executors of Ruth J. Sheldon, late of the borough of West Chester, in the county of Chester and state of Pennsylvania, deceased, or the survivor of them, seventy-four dollars and eighty-eight cents, it being the amount of collateral inheritance tax overpaid by said executors into the treasury of said state: *Provided,* That the state treasurer may authorize the register of wills for Chester county to pay said amount unto said executors, or their survivor.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 484.

A N A C T

Amendatory of the License Laws of this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the mercantile appraisers, in the several cities and counties of this state, personally to visit the store, distillery, brewery or other place of business of every person, whom they are required by law to ascertain and assess, and at the time of such visit to give to each such person living on the premises, a written or printed notice, specifying the classification and amount of license money to be paid by such person to the state, and also the time and place when and where he, the said appraiser, will hold an appeal, as required by law. Any person so ascertained and assessed, who shall fail to attend

Duties of mercantile appraisers.

Appeals from assessments.

such appeal, or to appeal from the decision of the appraiser to the proper court of common pleas, within ten days thereafter; which appeal the said court is required to hear and determine within twenty days after such appeal shall be taken, or at the next succeeding sitting of the said court; or having so appealed and the court having determined the same, shall not be permitted to set up as a defence to the recovery of the amount of the license, which he is required to pay, when suit shall be brought for the recovery of the same, either, that he is not a dealer in or retailer of merchandize, or a distiller, brewer, or other party required to be ascertained and assessed for license by the mercantile appraiser, or any other ground of defence which might have been heard and determined, either by said mercantile appraiser or the court of common pleas, on appeal, as aforesaid.

Proceedings thereon, relative to.

SECTION 2. That the auditor general shall not allow for the advertising of the mercantile appraiser's list of the names and classification of each person subject to license, as aforesaid, in more than three papers in any city or county of this state, one of which shall be in the German language, if a paper be published in that language in any city or county; nor shall such list be advertised in more than two papers in any county, should the auditor general require the county treasurer to limit the advertising to that number.

Auditor general not to allow for advertising of appraiser's list in more than three papers.

May limit to two.

SECTION 3. That no mercantile appraiser shall be allowed any pay for mileage by the auditor general, unless he shall first make oath or affirmation that he has actually traveled, in the performance of his duty as mercantile appraiser, the number of miles charged by him, and personally visited the place of business of every person ascertained and assessed by him.

Pay for mileage regulated.

SECTION 4. That all licenses, returned by the mercantile appraisers to the city or county treasurer, shall be sued for and recovered by action of debt, before a justice of the peace, with right of appeal, as provided in the first section of this act: *Provided*, That a civil suit for the recovery of the amount of the license shall not be a bar to, or interfere with any proceeding by indictment, where such proceeding is now authorized by law, but the remedies by civil action and indictment shall be cumulative.

Recovery of licenses by action of debt.

Proviso.

SECTION 5. That it shall be the duty of every city and county treasurer to sue for the recovery of all licenses duly returned to him by the mercantile appraisers, if not paid on or before the first day of July, in each and every year, within ten days after that date; and said treasurer shall not be discharged from any such license, unless he brings suit to recover the same within said date, and presses the same to judgment and execution as soon thereafter as practicable, and pays the amount of all such licenses received by him into the state treasury, on or before the first day of October ensuing; nor shall he receive any commissions on such licenses, unless he makes payment as aforesaid.

Treasurers required to bring suit for licenses, if not paid before the first day of July.

SECTION 6. That any mercantile appraiser who shall neglect or refuse to visit the store, or other place of business, of any person ascertained and assessed by him for license, and to furnish such person with a written or printed notice of his classification, amount of license and time and place of holding appeal,

Penalty for neglect of duty by appraisers.

as required by the first section of this act, shall pay a penalty of five dollars, to be recovered as debts of a like amount are recoverable, at the suit of the person aggrieved, for the use of such person, on due proof of such neglect or refusal being made according to law.

Penalties of existing laws made applicable to certain classes of licenses. SECTION 7. That all the penalties of the existing laws and the provisions thereof, in regard to licenses to wholesale dealers and retailers of merchandise, be and the same are hereby declared to be applicable to each of the said fourteen classes.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 485.

AN ACT

For the payment of the Claim of Hiram B. Yeager, for services as Brigade Inspector of the First Brigade of Pennsylvania Volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to Hiram B. Yeager, late brigade inspector of the first brigade, first division, Pennsylvania volunteers, for services rendered, as such, during the years one thousand eight hundred and fifty-five, one thousand eight hundred and fifty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and a part of one thousand eight hundred and fifty-nine, the sum of seven hundred and fifteen dollars and ninety-eight cents, out of any money in the treasury not otherwise appropriated.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 486.

A SUPPLEMENT

To an act, entitled "An Act to reduce the expenses of collecting State and County Taxes in Venango county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* an act, entitled "An Act to reduce the expenses of collecting state and county taxes in Venango county," approved the third day of April, one thousand eight hundred and fifty-one, be and the same is hereby extended to Forest county.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 487.

SUPPLEMENT

To an act creating two additional Assessors for the First and Twenty-Second wards in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* at the first and every other annual election, held in pursuance of an act, entitled "A supplement to an act creating two additional assessors for the First and Twenty-second wards in the city of Philadelphia," each of the qualified voters of the said First ward shall be entitled to vote for two persons for the office of assessor, and the four persons receiving the highest number of votes, shall be severally declared elected to fill said office; and that so much of said supplement, as is inconsistent herewith,

be and the same is hereby repealed, so far as relates to said First ward.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 488.

AN ACT

To prevent Cattle, Horses, Sheep and Swine from running at large in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of July next, all horses, cattle, sheep and swine, belonging to farmers, or other persons, found running at large, or upon the public roads or highways, in the county of Allegheny, shall be considered in the character of strays, and may be taken up as such, by any person, and shall and may be disposed of under the existing laws of this commonwealth, relating to strays, if such person shall see proper to prosecute the same: *Provided,* That this act shall not apply to any of said animals, that may have accidentally escaped from their proper enclosures.

Horses, cattle, &c., running at large may be taken up and disposed of as strays

Proviso.

Repeal of an act regulating fences in certain counties.

SECTION 2. That an act to regulate fences in the counties of Allegheny, Washington, Fayette and Westmoreland, approved the twenty-seventh of March, one thousand seven hundred and eighty-four, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 489.

AN ACT

For the relief of the Odd Fellows Hall Association of the Northern Liberties, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Odd Fellows hall association of the Northern Liberties, in the city of Philadelphia, be and they are hereby declared to be exempt from the operation of the act, entitled "An Act to reduce the state debt and incorporate the Pennsylvania canal and railroad company," approved the twenty-ninth day of April, in the year of our Lord one thousand eight hundred and forty-four, and, also, from the operation of the act, entitled "An Act to provide for the ordinary expenses of government, the repairs of the public canals and railroads, and other general and special appropriations," approved the seventh day of May, in the year of our Lord one thousand eight hundred and fifty-five, and all other laws, or parts of laws, heretofore passed, relative to a tax upon dividends and the collection thereof; and the auditor general is hereby directed to relinquish all charges or claims against said association for taxes upon dividends, under any and all of said laws: Provided, Said association shall have paid the usual state and municipal tax levied upon the real estate held by the said association.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 490.

AN ACT

Authorizing Railroad Companies to re-locate their Roads in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

whenever any portion or portions of any railroad, which has been, or may hereafter be, constructed by any railroad company, under the authority of this commonwealth, shall be found to pass over or in proximity to any workable vein or veins of iron ore, coal or other mineral, so as to interfere with the ordinary method of mining the same, or with the safety of said road, then, and in every such case, it shall be lawful for such railroad company to re-locate the said road, in such manner as they may deem best; said re-location shall not exceed five hundred yards from their old location, so as to avoid the interference aforesaid; and for this purpose, every such company shall have all the powers and authorities conferred, and be subject to all the liabilities imposed by its charter of incorporation, as existing at the time such re-location is made: *Provided*, That all rights of such company, over the location so abandoned by them, shall cease, from and after the re-location and occupation of the new route selected.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 491.

AN ACT

To extend Fifteenth and Green streets, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Court to appoint commissioners to extend Fifteenth street.

it shall be the duty of the court of common pleas of the city of Philadelphia, within one month from the passage of this act, to appoint commissioners, whose duty it shall be to proceed to view and lay out Fifteenth street, from Carpenter street, south to Reed street, said extension to be made, and damages to be assessed and paid, as is provided by existing laws.

Damages.

Extension of Green street authorized.

SECTION 2. That it shall be the duty of the court of common pleas of the city of Philadelphia, within one month from the passage of this act, to appoint three commissioners, whose duty it shall be to proceed to view and lay out Green street, in the Twenty-second ward, from Carpenter street to Wissahickon avenue, or Park street, in said ward, said extension to be made,

and damages to be assessed and paid, as is provided by existing ^{Damages.} laws, and said Green street, from Johnson to Wissahickon avenue, or Park street, be put in good traveling order by the highway department, immediately upon the confirmation of the report of said commissioners.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 492.

A N A C T

To authorize Margaret Williams, widow, devisee and legatee of Isaac Williams, late of Chester county, deceased, to borrow money.

WHEREAS, Isaac Williams, late of Chester county, deceased, by his last will in writing, dated July fifth, Anno Domini one thousand eight hundred and fifty-eight, duly proved, did, among other things, give and bequeath unto his wife, Margaret Williams, all of his property, real, personal and mixed, for her own comfort and the comfort of their children, during her widowhood, with the provision that at the termination of the same, either by her decease or marriage, the property then to be divided amongst such of their children as were living at the termination of such widowhood, and appointed his said wife the executor of his estate:

And whereas, The dwelling house upon the real property of said decedent has become so dilapidated by time and decay, as to be almost untenable, and there not being sufficient money belonging to said estate to repair or re-build said dwelling, and having no authority to borrow money, and secure it by lien upon the real estate of said decedent; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Margaret Williams, widow of Isaac Williams, late of Chester county, deceased, also, legatee and executrix under the will of said deceased, be and is hereby authorized to borrow money, not exceeding five hundred dollars, and to secure the payment of the same, together with interest, by a bond and mortgage duly executed under her hand and seal, as executor and legatee of said estate; said mortgage, when recorded in the recorder's office of Chester county, shall be a lien upon said real estate,

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for the purpose of erecting, on said real estate, a dwelling house, for the use and comfort of said widow and children: *Provided*, That said Margaret Williams file in the orphans' court of Chester county sufficient security, to be approved by said court, that the said five hundred dollars will be faithfully applied to the erection of said dwelling.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 493.

A N A C T

To authorize certain persons to sell Real Estate in the borough of Lewistown, county of Mifflin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That David Bloom, Abram S. Wilson and Francis M'Clure, of the borough of Lewistown, county of Mifflin, be and are hereby authorized to sell and convey a certain lot of ground, in said borough, known in the general plan of said borough as lot number ———, being a lot with a house thereon, occupied as a place of worship by the Seceder congregation of said borough, and make a deed therefor to the purchaser, in fee simple, and invest the proceeds thereof for the use of said congregation.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 491.

A N A C T

To authorize the Councils of the city of Pittsburg to compromise with the holders of Bonds of said city, issued in payment of subscriptions to the capital stock of certain Railroad Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Pittsburg be and hereby are authorized and empowered to negotiate a compromise with the holder or holders of any of the bonds of said city, issued in payment of their subscription to the capital stock of any railroad company. Councils authorized to compromise.

SECTION 2. That said councils be and are hereby authorized and empowered to direct the issue of bonds of said city, in the corporate name thereof, to be sealed with the corporate seal of said city, and signed by the mayor and attested by the controller, which said bonds shall be used for the purpose of redeeming the bonds of said city, issued to said railroad companies, as aforesaid, and for no other purpose whatever: *Provided,* That before any such bonds shall be issued, the said councils shall fix and determine, by ordinance, the amount, terms and conditions of said bonds, and the terms and conditions upon which the same shall be exchanged for the bonds issued in payment for subscription to said railroad companies, as aforesaid; and no such ordinances shall be finally passed by councils, until the same shall have been published three times, in three successive weeks, in the papers authorized to do the city printing. New bonds to be issued.
Purpose of.
Councils to determine, by ordinance, amount, terms and conditions of same.

SECTION 3. That any guardian, executor, administrator, trustee or other person who may hold any of the said bonds of said city of Pittsburg, issued, as aforesaid, in payment of subscription to the capital stock of any of said railroad companies, in trust for any other person or persons, shall be and are hereby authorized to accept new bonds of said city, in exchange for those so held by them, upon the terms and conditions of said compromise; and said trustees are hereby exempted from all liability to account to their respective *cestui que trusts*, for any greater or larger amount than the sums by them respectively received by virtue of said compromise. Guardians, trustees, &c., may accept new bonds in exchange.
Exempted from all liability.

SECTION 4. That all bonds, which may be issued by virtue of this act, shall be and become a part of the funded debt of said city of Pittsburg, and shall be entitled to all the rights, privileges and immunities provided for the funded debt of said city, by an act of assembly, approved the sixth day of April, Anno Domini one thousand eight hundred and fifty, entitled "An Act to limit the indebtedness and to provide for the gradual extinguishment of the debt of the city of Pittsburg, and for the improvement of the streets, lanes and alleys of said city;" and the Bonds issued to become part of funded debt of the city.

Authorized to provide additional revenue for sinking fund and levy tax to pay interest on bonds

Sinking fund, how to be created and used.

May authorize transfer of capital stock of railroad companies in payment of bonds.

councils of said city are hereby authorized to provide additional revenue for the sinking fund of said city, and to levy and collect a tax upon all objects that now are, or hereafter may be, taxable for state, county or city purposes, for the specific and exclusive purpose of paying the interest which may accrue upon the bonds issued by virtue of this act; all revenues, not otherwise appropriated, and all unexpended balances of the regular appropriations, shall become a part of the sinking fund of said city, as provided by said act of April sixth, one thousand eight hundred and fifty; and said sinking fund shall be used for the extinguishment of the funded debt of said city, as provided in said act of April sixth, one thousand eight hundred and fifty, and by this act, and for no other purpose whatever.

SECTION 5. That the councils of said city of Pittsburg may provide for and authorize the transfer of any of the capital stock of any of said railroad companies, in payment, or part payment, of any of the bonds issued to any of said railroad companies, as aforesaid, at such prices and upon such conditions, as may be agreed upon by the said parties.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 495.

A N A C T

To restore a separate representation to the counties of Bedford, Cumberland, Perry and Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That until the next septennial enumeration of the taxable inhabitants, and an apportionment thereon, the qualified electors of each of the counties of Bedford, Cumberland, Perry and Somerset, shall be entitled to elect one member of the house of representatives; and so much of the act of twentieth May, Anno Domini one thousand eight hundred and fifty-seven, as unites the counties of Bedford and Somerset in the election of two members, and requires the return judges to meet at the court house in the borough of Somerset, in the county of Somerset, and so

much of said act as unites the counties of Cumberland and Perry in the election of two members, and requires the return judges to meet at the court house in the borough of Carlisle, in the county of Cumberland, be and the same is hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 496.

A FURTHER SUPPLEMENT

To the act incorporating the Allen Gas Company, in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allen gas company shall have authority to increase its capital stock from sixty thousand dollars to one hundred thousand dollars, without any other change in its chartered rights and privileges.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 497.

A SUPPLEMENT

To the act incorporating the Lackawanna and Lanesboro' Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for commencing the Lackawanna and Lanesboro' railroad shall be extended to three years from this date, and to finish the same, to five years thereafter; and the charter of the said company shall not fail by reason of any default, heretofore, in electing directors, or from any other cause, but the same is hereby confirmed.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 498.

A N A C T

To authorize the issue of Bonds by the Monongahela Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the president and managers of the Monongahela navigation company to take up any or all of the bonds of the said company now outstanding, as they respectively mature, by the issue and substitution of other bonds, with the consent of the holders of the said outstanding bonds, on such terms and at such rate of interest, not exceeding eight per cent. per annum, as may be agreed upon between the parties, and to mortgage the whole or any part of their tolls, revenues, or other property, for the security thereof; and it shall be lawful for any trustee, executor, administrator or guardian, holding any of the*

said outstanding bonds as an investment of trust funds, to renew and re-invest the same in the bonds authorized by this act.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 499.

A N A C T

To incorporate the Benedictine Sisters of Elk county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Therese Vogel, Boniface Cassiday, Beatrice Blakely, Rose Bos-
tarts and Aloysia O'Brien, of the state of Pennsylvania, and Corporators.
their associates, members of the society called the Benedictine Sisters, being a society of religious ladies, living in community, and devoted to charitable works and the education of youth, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Benedictine Sisters of the Title.
county of Elk, to have perpetual succession, to use a common Seal.
seal, and alter and renew the same, at pleasure, to take, hold and Privileges.
enjoy lands, tenements and hereditaments, and to make such by-laws for their government, and for the admission of more By-laws.
members into the corporation, as they shall deem necessary and proper: *Provided,* That said by-laws shall not be repugnant to, Proviso.
nor inconsistent with, the constitution and laws of the United States or of this commonwealth: *And provided also,* That the Annual income.
clear yearly income of the real estate to be held by said corporation, exclusive of the houses occupied by the society, and grounds thereto attached, shall not exceed the sum of three thousand dollars: *And provided further,* That no person shall Membership.
be or remain a corporator, except regular members of said religious society, living in community and governed by the by-laws thereof.

SECTION 2. That the essential objects of the said corporation Objects.
shall be the relief and support of the sick, destitute and dependent persons, the maintenance of orphans, the care and education of youth in public schools or academies of their own, or in houses of industry and refuge.

Misnomer. SECTION 3. That no misnomer of the said corporation, and their successors, shall defeat or annul any gift, grant, devise or bequest to or for the said corporation: *Provided*, That the intent of the party or parties shall sufficiently appear upon the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to or for the said corporation.

Property held in trust may be transferred to corporation. SECTION 4. That any person or persons now holding, or hereafter to hold, any goods, chattels or property, real or personal estate, or interest whatever, in trust or for the use of the said Benedictine Sisters, or any one of them, are hereby authorized to convey, transfer, grant and make over the same to the corporation hereby created, freed and discharged from all such trusts:

Proviso. *Provided*, That the said corporation shall appropriate the same to the same uses as the donors or grantors, by whom said property, real or personal, was originally given or granted, shall have given or granted the same: *And provided further*, That no private rights or vested interests shall be affected, or in any way prejudiced, by such conveyance to the corporation.

Proviso.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 500.

AN ACT

To incorporate the village of Little Meadows into a borough.

Boundaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of the township of Apolacon, in the county of Susquehanna, as is included within the following limits, to wit: beginning at the fortieth mile stone on the New York state line; thence east along said line one and three-fourths miles; thence south four hundred perches; thence west one and three-fourths miles, to the Bradford county line; thence along said line four hundred and thirty perches, to the place of beginning, be and the same is hereby incorporated into a borough, which shall be called and styled the borough of Little Meadows.

Annual borough election, when, where and how held.

SECTION 2. That the inhabitants, legal voters of said borough, shall, on the third Friday of May next, and annually thereafter, on the third Friday of February, which now is, or hereafter may be, fixed by law for the election of constables and other

township officers, within this commonwealth, meet at the school house in said borough, between the hours of one and seven o'clock, P. M., and elect, by ballot, one of the citizens, who shall be styled burgess of said borough, and four other citizens, to be styled the town council, and one street commissioner, all of whom shall be residents of said borough, which election shall be, in all respects, conducted, as is provided by law for the election of township officers within this commonwealth, and shall be subject to the same penalties for mal-practices, except that the certificates of the election of burgess, town council, and other borough officers, shall be filed among the records of the corporation, and duplicate certificates of said election shall be signed by the judges, one of which shall be transmitted to each of the persons elected: *And provided*, That in case of death, resignation, removal, or refusal to accept of any of said offices, the vacancies may be supplied by a new election, in all cases when, by existing laws, there is not provision made for supplying vacancies by appointment: *And provided further*, That the first election to be held under this act, it shall be the duty of Hiram P. Kimball to give notice, and to perform all the duties enjoined upon constables, by the existing laws relative to township elections; but previous to opening such election, such citizens, entitled to vote, as may be present at the time and place of opening the same, shall choose one judge, two inspectors, and two clerks thereof, who shall be sworn or affirmed, in the same manner as is provided by law, and perform the duties required of them by law relative to township elections.

Qualifications of officers.

Certificates of election.

Vacancies.

Hiram P. Kimball to act as constable, at the first election.

Election officers.

SECTION 3. That the burgess shall be president of the council, and shall have, and exercise, all the rights and privileges of a member thereof, in every respect.

Burgess.

SECTION 4. That the burgess and town council shall meet on the first Monday next succeeding their election, in each year, and as often thereafter as occasion may require; three members shall constitute a quorum to do business, and the proceedings of a majority of a quorum, when there is one formed, shall be valid; they shall have power, in the absence of the burgess, to elect a president *pro tem.*, who shall, in the case of death, resignation, refusal to accept or to act, or inability of the burgess to attend, perform all and every duty enjoined on the burgess, or, in his absence, the president *pro tem.* shall have power to call special meetings of the council, but in all cases of special meetings, personal notice shall be given to each member, unless absent from the borough; the burgess and members of the town council shall, in all cases, continue to hold their respective offices until their successors shall be duly elected and qualified.

Meeting of council.

Quorum.

Absence of burgess, relative to.

Special meetings

Official term.

SECTION 5. That if any person, duly elected burgess, or member of the town council, and having received notice thereof, as directed by this act, shall refuse or neglect to take upon himself the execution of the office, to which he shall have been elected, or having taken upon himself such duties, shall neglect to discharge the same, according to law, every such person so neglecting or refusing, shall, for every such refusal or neglect, pay a fine not exceeding five dollars, at the discretion of the

Penalty for refusal of burgess or councilmen to act, or neglect of duty.

Fines, how recovered and appropriated.

Proviso

Proviso.

Burgess to take oath, and administer the same to council and other officers.

Incorporation.

Style.

Powers.

Seal.

Authorized to enact such by-laws, ordinances, &c., as may be necessary.

Taxation.

burgess, which fine, and all other fines that may be incurred under this act, or any of the by-laws or ordinances of the town council, shall be for the use of said corporation, and shall be recovered, in the name of the burgess and town council of the borough of Little Meadows, as debts of like amount are recoverable by law: *Provided*, That no person or persons shall be compelled to serve more than one year, in any term of three, and the payment of a fine shall be equivalent to a service of one year in any office: *And provided further*, That nothing herein contained shall be construed to exonerate any constable, or other officer, from the payment of any fine or penalty imposed by the existing laws, or that may hereafter be enacted, for refusing to serve in such office.

SECTION 6. That the burgess shall take and subscribe an oath or affirmation before one of the judges of the court of common pleas, or a justice of the peace, of said county of Susquehanna, to support the constitution of the United States, and of the state of Pennsylvania, and execute the office of burgess of Little Meadows with fidelity; and, when so qualified, he shall administer an oath to each of the members of the town council, high constable, town clerk, clerk of the market, if one shall be appointed, and such other officers as shall be appointed or elected under this act, or any by-law or ordinance of said borough, before they shall enter upon the duties of their respective offices; which oath or affirmation, so taken and subscribed, shall be filed among the records of the corporation.

SECTION 7. That from and after the third Friday of May next, the burgess and town council, duly elected, and their successors, shall be one body politic and corporate, by the name and style of the burgess and town council of the borough of Little Meadows, and shall have perpetual succession, and shall be capable, in law, to have, receive, hold and possess, goods and chattels, lands and tenements, rents, liberties, jurisdictions, franchises, hereditaments, to them and their successors, in fee simple, or otherwise, not exceeding the yearly value of two thousand dollars, and also to grant, sell, let and assign the same, and shall be capable, in law, to sue and be sued, plead and be impleaded, in any of the courts of law in this commonwealth, in all manner of actions whatever, and to have and use one common seal, and the same from time to time, at their will, to change and alter.

SECTION 8. That the town council shall have power to pass and enact such by-laws, rules, regulations and ordinances as they may deem necessary to promote the peace and good order and general welfare of the inhabitants, and well being of said borough, and for the purpose of improving and keeping in good order the side-walks, streets, lanes, alleys, common grounds, or other property whatsoever, that has been heretofore granted to the use of the citizens of Little Meadows, or that may hereafter be granted to the corporation, and for removing nuisances and obstructions therefrom, and the same to alter, make, renew or annul, as the occasion may require, and also assess, levy and collect and appropriate such taxes as shall be necessary to carry their rules and ordinances into effect, which said taxes shall not exceed, in any one year, three mills on the dollar, except by

consent of two-thirds of the taxables of the borough, to be certified, under their hands, to the town council, for that purpose; they shall have authority to obtain material for improving the streets, lanes, alleys and public grounds, and order and direct the manner and ways in which the same shall be improved, repaired and kept in good order; they shall annually appoint a town clerk, treasurer, collector of taxes, clerk of the market, when necessary, and such other officers as they may deem expedient, and the same to remove at pleasure; the officers to be appointed by the town council shall be allowed such compensation as the council may fix and agree to, but the members of the council themselves shall not receive any compensation for their services as members of the council; the council may remit any fines or penalties that may be incurred by and under this act, or any of the by-laws or ordinances, when, in their judgment, it may be proper so to do: *Provided*, No by-law, rule, regulation or ordinance shall be repugnant to the constitution and laws of the United States, or of this commonwealth, and that no person shall be subject to any fine or punishment, for any by-law or ordinance of said borough, until after six days shall have expired after the promulgation thereof, by at least four copies of the same being put up at the most public places within the said borough, and signed by the president, or president *pro tem.*, and attested by the town clerk; it shall be the duty of the burgess to cause all the by-laws and ordinances of the council to be carried into effect, and to do and perform all such other services as may be enjoined on him by the same.

Appointment and compensation of town clerk, treasurer, collector, &c.

Council not to receive compensation.
Fines may be remitted.

Proviso.

Copies of ordinances to be put up in public places.

Duty of burgess.

SECTION 9. That it shall be the duty of the burgess to issue his warrant to the collector, as often as occasion may require, commanding him to collect the taxes assessed by the town council, a list or duplicate of which shall be made out and delivered to said collector, and to pay the same to the treasurer; and the collector shall have the same power and authority in the collection of said taxes, as the collectors of county rates and levies, and may be proceeded against in the same manner that the county treasurer or county commissioners are authorized by law to proceed against the collectors of county taxes, when they neglect to collect or pay over the amount of their duplicate, according to law: *Provided*, That the town council may hold appeals, hear any complaints in relation to the assessment of said taxes, and grant relief, as may seem best, at any time, and, also, exonerate the collector from the payment of any taxes that may be impracticable to collect; and in all cases of any tax assessed upon any vacant or unseated land, in said borough, and the taxes remain unpaid, it shall be lawful for the collector to certify the same to the commissioners of Susquehanna county, in the same manner as the supervisors of the roads are authorized by law to return road taxes on unseated lands; and the county treasurer shall, in like manner, collect the said taxes, or sell and convey the lot or lots, for the payment of the same, and pay the money into the treasury of the borough, or to whomsoever it may belong.

Collection of taxes.

Appeals.

Exonerations.

Taxes upon unseated lands, collection of.

SECTION 10. That it shall be the duty of the town clerk to attend to all meetings of the town council, when assembled on business of the corporation, and perform the duty of clerk

Duties of town clerk.

thereto, and keep and preserve the corporate seal and records of the corporation, and be answerable for the same, and, also, for the faithful discharge of all the duties that may devolve upon him by this act, or of the acts of the incorporation; he shall keep a fair journal of the proceedings of the town council, in a book to be provided for that purpose, and shall enter all by-laws and ordinances adopted by the town council in a separate book, for that purpose, and when signed by the president, shall attest the same; he shall certify copies under the seal of the corporation, which copies of any book, paper, by-laws, ordinance, or proceeding of the council, when so certified and attested by the clerk, shall be good evidence of the thing certified; he shall deliver over to his successor the seal, and all the books, papers, and other things belonging to the corporation, and upon neglect or refusal to do so, upon demand made, he shall forfeit and pay a fine of not less than fifty dollars, and be accountable for all damages sustained by the corporation, to be recovered as like debts and damages are by law recoverable.

Penalty for neglect of duty.

Duties of treasurer.

SECTION 11. That it shall be the duty of the treasurer to receive moneys due to the corporation, whether for taxes, fines, donations, or in any other way, and to pay out of the same, on orders of the president, or president *pro tem.*; he shall keep fair accounts of his receipts and payments, and settle his accounts with the town council, whenever they shall require the same to be done, and pay over all moneys or balances found in his hands, and deliver to his successor in office all books, papers and accounts, belonging to the corporation, or pertaining to his official duties, when demanded, for which he shall give a bond to the burgess and town council, with sureties thereon, as they may require.

To give bond.

Orders upon the treasurer.

SECTION 12. That no moneys shall be drawn from the treasury but by the authority of the council, on orders signed by the president thereof, and attested by the clerk; it shall be the duty of the town council to settle the accounts of the treasurer, street commissioner, collector of taxes, and of the several officers, annually, and to cause a fair statement, showing the receipts in the treasury, and how the same shall have been expended, to be published by the town clerk every year, in the manner prescribed by said town council.

Annual statement of accounts to be published.

To be a separate election and school district.

SECTION 13. The said borough shall be a separate election and school district, and the electors thereof shall hold their borough and general elections at the school house of said borough, and elect one justice of the peace, one constable, one assessor of the county, six school directors, and three auditors of the said borough.

Justices, assessors, &c.

Care of the poor.

SECTION 14. The burgess and town council of said borough shall have the care of the poor of said borough, and all the powers and duties of overseers of the poor shall be exercised and performed in such manner and by such persons as they may ordain.

Constable.

SECTION 15. The constable of said borough shall perform the duties of high constable therein until otherwise provided; the burgess and town council may authorize the election or appointment of a high constable, if they deem it expedient.

SECTION 16. The school directors elected under this act, shall perform the same duties, and have the like powers, in all respects, as school directors elected agreeably to the general laws of this commonwealth. School directors.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 501.

A N A C T

To incorporate the Odd Fellows Association at Waynesburg, Greene county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William A. Porter, J. Y. Temple, H. H. Lindsey, William Davis, Joseph F. Randolph, R. R. Campbell, J. T. M'Connell, Josiah Porter, D. W. Braden, J. A. J. Buchanan, Benjamin F. Harrington, Thomas Scott, and the other persons belonging to the society, now called the Odd Fellows association, and their successors, who shall become members of the association according to the by-laws, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Odd Fellows association, and by that name shall have perpetual succession, have a common seal, make contracts, may sue and be sued, plead and be impleaded, in any court of record, or in any other place whatever, and may also take and hold any real or personal estate, conveyed to them by gift, grant, bargain and sale, devise, bequest or other alienation whatever, and sell and convey the same. Corporators.

SECTION 2. That the affairs of this association shall be under the direction of a board consisting of a president, a secretary, treasurer and five additional managers; the managers shall be divided into two classes, whose terms of service shall be, respectively, one and two years, but they may be re-elected; the officers and managers shall be elected by ballot; the managers may fill vacancies in their own body, and adopt such other measures as may, in their opinion, promote the objects of the association; five managers shall constitute a quorum; until the first election shall be held, in pursuance thereof, the officers of the present Officers. Managers. Vacancies. Quorum.

Failure to hold election not to be deemed a forfeiture of charter.

Annual meeting of corporation.

Powers of board of managers.

Special meetings

First meeting of corporators.

Notice.

society shall be the officers of this corporation; and no failure to hold an election for, or to elect, any of said officers, shall be deemed a forfeiture of any of the corporate privileges, hereby conferred, but the same shall continue unimpaired thereby, and such failure or failures, the officers of the preceding year shall continue in office until their successors are duly elected.

SECTION 3. That a meeting of the corporation shall be held at least once in each year, at such time and place as the board may, by their by-laws, appoint, for the election of officers, and for such other business as may be necessary for the society to transact.

SECTION 4. That the board shall have the power to appoint such other officers, not hereinbefore provided for, as may be necessary to provide for and regulate the admission of persons as members of the corporation, and to make all other laws and regulations necessary for the good government of the corporation, and not repugnant to the constitution and laws of the United States or of this commonwealth.

SECTION 5. That special meetings of the society shall be called by the president, or, in his absence, by a majority of the board.

SECTION 6. That there shall be a meeting of the members of the said Odd Fellows association, on such day, in the month of April next, at such place, in the town of Waynesburg, as the five persons, first named in this act, shall appoint, giving at least five days' notice of such meeting, in one or more of the papers printed in the county of Greene.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 502.

AN ACT

To incorporate the Eighth United Presbyterian Congregation of the city of Philadelphia.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Andrew Walker, Robert Paul, Hugh Gamble, David Walker, James Martin and David Wark, and their successors in office, duly elected as hereinafter specified, be and they hereby are*

constituted and declared a body politic and corporate, in deed and in law, by the name, style and title of the Eighth United T^hU. Presbyterian congregation of the city of Philadelphia.

SECTION 2. That said corporation shall have perpetual suc- Privileges.
cession, and shall have the right and power to take, hold and
enjoy lands, tenements, rents, annuities, franchises, moneys,
goods, chattels and effects which now are or hereafter may be
conveyed, assigned, transferred, devised or bequeathed to said
corporation, or to any person or persons in trust for it: *Provided*,
'That the clear yearly income thereof shall not exceed four thou- Provide.
sand dollars.

SECTION 3. That the said corporation, by the name, style and Seal.
title aforesaid, shall have power to adopt and use a common
seal, and the same, at pleasure, to alter and renew, and shall be
able to sue and be sued, plead and be impleaded, in any court or
tribunal of law or equity, in all manner of suits, complaints,
pleas, matters and demands whatsoever; and, also, shall be able
to make by-laws, rules and ordinances, and the same to alter By-laws.
and amend, for the proper administration of the funds and due
government of the affairs of said corporation: *Provided*, That Provide.
said by-laws, rules and ordinances be not repugnant to the con-
stitution and laws of the United States, or to the constitution
and laws of this commonwealth: *And provided further*, That Provide.
every by-law or alteration thereof be proposed at least eight
days before enacted.

SECTION 4. That the members of said church shall consist of Membership.
those only, who profess and adhere to the declaration and testi-
mony for the doctrine and discipline of the United Presbyterian
church, as adopted at Pittsburg, in the year of our Lord one
thousand eight hundred and fifty-eight.

SECTION 5. That the board of trustees of said corporation shall Election and
consist of six members, of whom four shall constitute a quorum; classification of
that the corporators shall compose said board until the first trustees.
Monday of January, Anno Domini one thousand eight hundred
and sixty-three; that on the said first Monday, the term of the two
corporators, Andrew Walker and Robert Paul, shall terminate,
and an election shall, on said day, be held to supply their place;
that on the first Monday of January, Anno Domini one thousand
eight hundred and sixty-four, the term of the two corporators,
Hugh Gamble and David Walker, shall terminate, and an elec-
tion shall, on said last mentioned day, be held to supply their
place; and that on the first Monday of January, Anno Domini
one thousand eight hundred and sixty-five, the term of the two
corporators, James Martin and David Wark, shall terminate,
and an election shall, on said last mentioned day, be held to
supply their place.

SECTION 6. That the stated meeting for the election of two Official term and
trustees shall be the first Monday of January of every year; qualifications of
that the duration in office of said trustees shall be three years; trustees.
that to be eligible for such office, the candidate must possess all
the qualifications necessary for an elector, as hereinafter speci-
fied, and must, at the time of election, be in full communion
with the church aforesaid, by having partaken of the sacrament
of the Lord's Supper.

Vacancies.

SECTION 7. That on the death, removal or resignation of any trustee, or in the event of failure to elect a trustee, then and in every such case, a new election, to supply the vacancy, shall be held, upon the remaining trustees, or a majority of them, giving seven days' notice of the time and place of election.

Powers of trustees.

SECTION 8. That the power of the board of trustees shall extend only to the temporalities of the church, in rating and letting the pews, collecting the pew-rents, or other dues of the church, receiving the public collections, keeping the place of worship and burying ground in repair, providing for and paying the debts of the church, either by bond and mortgage, or otherwise, paying the salary of the minister, clerk and sexton, and when the funds admit of it, to relieve the poor of the congregation and maintain a school; but they shall have no power to alienate the church or lot of ground, or dispose of the public moneys for any other use than that for which they were intended.

Meetings.

SECTION 9. That the trustees shall meet the Monday next after the regular election, on the first Monday of January in each year; they shall choose from among themselves a president and treasurer, and from among themselves or other members of the church, a secretary and a sexton; they shall keep fair books of their proceedings, and of the moneys received and expended by them, and shall annually make up a statement of their accounts, previous to the day of election for trustees, on which day, they shall exhibit, to the electors, said statement.

Notice of meetings to be given.

SECTION 10. That meetings of the trustees shall be called by the president, of his own accord, or at the desire of any two members, the notification to be given either on a Sabbath day, after public worship, or by written notices left at the dwelling house of each member.

Who entitled to vote for trustees.

SECTION 11. That every elector of trustees shall be one who, for twelve months at least, has held a seat or a pew in said church, who is a member, as required in the fourth section herebefore specified, who pays toward church rent, for a seat or pew, an annual sum of not less than two dollars and fifty cents, and who is not more than six months in arrears with respect to the rent of his pew or seat, as the case may be.

Congregational meetings, how composed, &c.

SECTION 12. That congregational meetings shall be composed of those who are qualified to be electors of trustees; that those meetings shall be convened, at the call of the board of trustees, either of their own accord, or upon the written request of any six pew holders; that the object of the meeting shall be mentioned in the call therefor, and at least three days shall intervene between the notice given and the time of meeting, and that the pastor of the church shall have a vote as well at all congregational meetings, as at the election of trustees.

Notice of.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 503.

AN ACT

To incorporate the Journeymen's Union Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* J. B. Mifflin, William Wright, John P. Wolfe, William H. Henderson, or a majority of them, and their associates, successors and assigns, and such other persons as shall become shareholders, be and they are hereby constituted and created a body politic and corporate, in deed and law, by the name, style and title of the Journeymen's Union manufacturing company, with a capital of sixty thousand dollars, to be divided into shares of ten dollars each.

Corporators.

Style.

Capital.

SECTION 2. That the affairs of the said company shall be managed by a board of not less than three, or not more than five, directors, one of whom shall be president, and shall be chosen by the directors; the election of directors shall be held annually, at such time and place as the company may determine, of which public notice shall be given; all elections shall be by ballot, and every share of stock subscribed for, upon which all arrearage is paid, shall be entitled to one vote, in person; a majority of the board of directors shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected; and in case of the death or resignation of any of the directors, or a vacancy occurring in the board from any other cause, the remaining directors may select a person to fill such vacancy, to serve until the next annual election.

Directors.

Election.

Votes.

Quorum.

Vacancies.

SECTION 3. That the said corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure, and sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere; may make all needful rules, regulations and by-laws for the management and business of the corporation.

Seal.

By-laws.

SECTION 4. That the said corporation shall have the right to purchase, acquire, hold, manufacture, use, sell or dispose of such articles as may be decided upon by a vote of the stockholders, and to hold and convey such real estate and personal property as may be necessary to promote the objects of the corporation: *Provided*, That the real estate shall not exceed twenty thousand dollars.

Authorized to manufacture, &c, and hold real estate.

Limitation.

SECTION 5. That the stock of said company may be transferred agreeably to the by-laws, which may be adopted by the corporation, and that dividends may be declared and paid whenever it may be deemed expedient by the directors; but if the directors shall make a dividend of more than the actual net profits acquired by the corporation, the directors consenting thereto shall severally be liable to the corporation, in their individual capacity, for the excess so divided and paid.

Stock may be transferred.

Dividends.

Bonus to state. SECTION 6. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, a bonus of one-half of one per centum on the capital stock of said company, payable in four annual instalments, the first whereof shall be due in one year after the organization of the company, and shall pay such tax on dividends as is or may be required by law.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 504.

AN ACT

To incorporate the Lutheran Salem's Church, of Upper Paxton township, Dauphin county.

Preamble.

WHEREAS, We, G. P. Weaver, Jacob Miller, John Miller, William Lenker, Andrew Wert, John K. Fickinger, Joseph Wert, Henry Kissinger, Henry H. Harman, Jonas Noll, J. George Wert, Elias Wert, Levi Lebo, Simon Weaver, Josiah B. Weaver, Emanuel Lenker, Henry L. Shaeffer, Andrew Ossman, being citizens of the commonwealth of Pennsylvania, having associated ourselves for the purpose of worshipping Almighty God, and being desirous of acquiring and enjoying the powers and immunities of a corporation, or body politic in law, do hereby declare that we have associated ourselves for the purpose aforesaid, by the name, style and title, and under the articles and conditions following, namely :

Title.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the corporation shall be the Lutheran Salem's church, of Upper Paxton township, Dauphin county.

Incorporation

SECTION 2. That we and our successors being admitted members of said congregation, and holding the doctrine embodied in that church, shall become, and be in law and in fact a corporation, known by the name, style and title aforesaid, and shall have full power and authority to make, have and use a common seal, with such device and inscription as we shall deem proper, and the same to break, alter or renew at pleasure ; and by the name, style and title aforesaid, shall be capable, in law,

Seal.

to sue and be sued, to plead and be impleaded, in any court or Privileges.
 courts, before any judge or judges, justice or justices, in all
 manner of suits, complaints, pleas, causes, matters and demands,
 whatsoever, and all, or every matter or thing to do, in as full
 and as effectual a manner as any other person or persons,
 bodies politic or corporate, within this commonwealth, may or
 can do, and shall be authorized and empowered to make rules,
 by-laws and ordinances, and to do everything needful for the By-laws.
 good government and support of the affairs of the said corpora-
 tion: *Provided always*, That the said by-laws, rules and ordi-
 nances, or any of them; be not contrary to the articles and Proviso.
 provisions of this charter, or to the constitution of the state of
 Pennsylvania.

SECTION 3. That the said corporation and their successors, Powers.
 by the name, style and title aforesaid, shall be able and capable,
 in law, according to the terms and conditions of this instru-
 ment, to take, receive and hold, for the use of the said congrega-
 tion, all, and all manner of lands, tenements, annuities, rents,
 franchises, hereditaments, moneys, interests, goods, chattels
 and effects, of whatsoever nature or kind, which now is, or
 shall at any time hereafter become the property of said congrega-
 tion, by gift, bequest, conveyance, purchase, demise or other-
 wise; also, to grant, lease, bargain, mortgage, sell, alien, dispose,
 of or convey the same, or any part thereof, to be employed and
 disposed of according to the objects, articles and conditions of
 this instrument, the articles and by-laws of said congregation,
 or of the will and intention of the donors: *Provided always*,
 That the clear yearly value or income of the said messuages, Yearly income.
 lands and tenements, rents, annuities, or other hereditaments,
 and real estate of said congregation, and the interest of money
 lent by said congregation, shall not exceed the sum of two thou-
 sand dollars.

SECTION 4. That there shall be forever, hereafter, a vestry of Vestry.
 said church, which shall consist of one trustee, two elders, two
 deacons, and the minister, for the time being, which minister
 shall be the president of the said vestry.

SECTION 5. That one-half of the number of lay members of Election of.
 the vestry shall be elected annually, by the congregation or
 members of the said church, on Whit Monday, in June in each
 and every year, except the trustee, who shall be elected bien-
 nially, and remain in office two years.

SECTION 6. That for the due organization of said church, and Present trustee,
 until their places shall be supplied by election, in regular suc- elders, deacons
 cession, as herein directed, Jacob Miller shall be the present and minister.
 trustee, William Lenker and John Miller shall be the present
 elders, and Andrew Wert and John Fickinger shall be the pre-
 sent deacons, and the Rev. George P. Weaver, the present min-
 ister of the said church, for the time being, shall be president of
 the said vestry; and the first election shall be on Whit Monday,
 in the year of our Lord one thousand eight hundred and sixty-
 two, for one elder and one deacon, in the room of the one elder
 and one deacon first named, and the second election shall be
 held on Whit Monday, in the year one thousand eight hundred
 and sixty-three, for one trustee, one elder, and one deacon, in-

stead of the trustee, the one elder, the one deacon above named, and so on in perpetual succession, in the order set forth above.

Powers and duties of vestry.

SECTION 7. That the vestry, three-fifths of the whole number of lay members concurring, shall have power to make such by-laws, from time to time, as shall be necessary or expedient for the due order or regulation of the church, and its temporal concerns, but they shall not have power to sell or convey any part of the real estate of the church, except two-thirds of the members of the congregation agree; they shall receive the rents, issues and profits of the estate of the church, at present consisting of a tract of land, consisting of sixty acres, more or less, situated, lying and being in the township of Upper Paxton, county and state aforesaid, adjoining lands of George Noll, Isaac Wert, and by lands belonging to the congregation of the German Reformed David's church, and on which is erected a church belonging to the congregation, a mansion house and out houses, and so forth; they shall keep the property in good repair, from time to time, and erect such other buildings thereon as the vestry and the congregation, or two-thirds of them, shall think proper to be erected and built thereon; and on the first Monday following the installation of the vestry, elected at the biennial election, the vestry shall settle their accounts, and exhibit them to the inspection of the members of the congregation present.

Vacancies in vestry.

SECTION 8. That in case of the removal from the congregation by death, of any member of the vestry, the members remaining, or survivors of the said vestry, shall have power to do and perform all the duties, matters and things appertaining to be done or performed by the said vestry, as fully and effectually as if there had been no vacancy, until the next annual election; and all vacancies, so happening, shall be supplied at the next annual election after the same shall have happened, and the person or persons chosen to supply such vacancy or vacancies, shall continue in office only during such time, as the person, in whose stead he shall be chosen, would have continued if no such vacancy had happened.

Vestrymen may be re-elected.

SECTION 9. That the members of the vestry may at any time, that is, at any annual or biennial election, be re-elected as often as the congregation may think proper.

Appointment of ministers.

SECTION 10. That it is a fundamental article in this church, and the vestry are enjoined not to permit any clergyman to be chosen or appointed minister or preacher of, or to the said church or congregation, who shall not be a member of the synod of the Lutheran church aforesaid, unless two-thirds of the members of the congregation agree.

Qualifications of voters.

SECTION 11. That no person shall be entitled to vote at any election for members of the vestry, or derive any benefit from the estate or property of the church, unless he shall have contributed to the support of the church or clergy, for at least two years previous to such election, and shall have paid and faithfully discharged, previous to the election, all arrearages, due to the church or clergy, of such money and contributions as shall have been assessed upon him, in proportion according to his condition and circumstances in life, voluntarily by him subscribed thereto; nevertheless, any person, who may recently

have moved within the precincts of said church, and may, upon such removal, desire to become a member thereof, shall be entitled to vote, although he shall not have resided within the precincts of the church, or have been a member thereof, for two years previous to such election.

SECTION 12. That the trustees and other members of the Sale of property vestry shall have power to sell real or personal property: *Provided*, Two-thirds of the members of the congregation, for the time being, are agreed to it.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 505.

AN ACT

To incorporate the Chestnut Hill Cemetery Association.

WHEREAS, The persons hereinafter named have entered into an agreement to purchase a piece of land in the vicinity of Mechanicsburg, Cumberland county, containing about eighteen acres, for the purpose of converting the same, or any part thereof, into a cemetery, and as they are desirous that they, and their successors, may be incorporated, for the purpose of establishing and perpetuating such cemetery; therefore, Preamble.

SECTION. 1 *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John C. Dunlap, James Graham, Levi F. Eberly, Levi Kauffman, David H. Swiler, Daniel Comfort, Henry F. Fells, Solomon P. Gorgas, George W. Wilson and R. W. Oswald, and their successors, be and the same are hereby created into a body politic and corporate in law, by the name, style and title of the Chestnut Hill cemetery association, and by that name shall have perpetual succession, and be able to sue and be sued, in any court of law or equity, and may have and use a common seal, and the same at their pleasure to alter or renew, and shall have power to purchase, have, hold and enjoy, to them and their successors, the aforesaid piece of land, with such other real estate as they may require, for the purpose of establishing said cemetery: *Provided*, That the whole quantity of real estate to be held by them, as a corporation, shall not exceed twenty Corporators.

Title.

Seal.

Powers.

Provide.

acres, and the said corporation shall have authority to receive gifts or bequests, for the purpose of ornamenting or improving said cemetery, and to hold such personal property as may be necessary to carry out the object of this act.

Election of president and managers.

SECTION 2. That the affairs of said corporation shall be conducted by a president and five managers, who shall be elected by a majority of the votes of the members of the corporation, on the first Monday of May, in each and every year, and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; the said president and managers shall fill all vacancies, which may occur in their own body, and shall have power to lay out and ornament the grounds purchased for said cemetery, to erect such buildings thereon as may be necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers, and fix their several duties and compensation, and to make such by-laws, rules and regulations, as they may deem proper, for conducting the affairs of the corporation, for the government of lot-holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof.

Powers and duties of.

Opening streets or roads through cemetery.

SECTION 3. That no streets or roads shall hereafter be opened through the lands of said corporation, except by and with the consent of the said president and managers; and that any person, who shall willfully destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone, or other structure, placed in the cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of said cemetery, or of any tomb, monument, grave-stone, or other structure, placed therein as aforesaid, or shall willfully destroy, cut, break or remove, any tree, shrub or plant within the limits of said cemetery, or shall shoot or discharge any gun, or other firearms, within said limits, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any justice of the peace of the county of Cumberland, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars, or shall, upon conviction thereof in the court of quarter sessions of said county, be punished by fine, as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

Penalty for injuries to grounds, &c.

Transfers and exemptions.

SECTION 4. That every lot conveyed in said cemetery shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the president and managers, and shall not be subject to attachment or execution, and that the said cemetery shall hereafter be forever exempted from taxation.

Payment of purchase money, &c.

SECTION 5. That as soon as the money, received from the sale of lots in said cemetery, shall be sufficient to pay the purchase money expended by the persons hereby incorporated, with interest, and the expenses, that shall have been incurred by them in laying out, enclosing and improving the grounds, then each lot-holder shall become a member of the corporation, and shall have a right to vote for the officers thereof; and at all elections held thereafter, under this act, each member of the corporation

Membership. Votes.

shall be entitled to one vote, and no more: *Provided*, That all the money raised thereafter, from the sale of lots, shall be expended in improving, repairing and maintaining said cemetery, or roads leading thereto: *And provided also*, That until an election shall be held, under the provisions of this act, the persons hereby incorporated shall be the managers of the corporation.

F. M. CRANE,

Speaker of the House of Representatives pro tem.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 506.

A SUPPLEMENT

To the act, entitled "An Act to re-incorporate the Beaver Falls Water Company, change its name and enlarge its powers," approved the eighth day of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the apportionments or assessments, hereafter made by the Fallston water company, or by the directors thereof, under the act of assembly, entitled "An Act to re-incorporate the Beaver Falls water company, change its name and enlarge its powers," approved the eighth day of April, one thousand eight hundred and forty-eight, upon the members of said company, for the expenses, improvements and other purposes authorized by said act, shall be and are hereby declared to be liens upon their respective shares of water power in said company, from the time said assessments or apportionments shall be made, until the same shall be paid: *Provided*, That the liens hereby created shall not continue longer than six months from the time said assessments or apportionments shall be due and payable, unless suit be instituted in the meantime for the recovery thereof.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 507.

A FURTHER SUPPLEMENT

To the act establishing an Academy in the borough of Somerset, approved March nineteenth, A. D. one thousand eight hundred and ten.

Repeal of a certain supplement.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supplement to the said act, approved fifth February, A. D. one thousand eight hundred and fifty-eight, be and the same is hereby repealed.</i>
Name changed.	SECTION 2. That hereafter the style and title of said institution shall be the Somerset institute, and shall be under the management of a board of three trustees, to be elected annually, on the first Monday of May, by the stockholders of said institute; that William J. Bear, John O. Kimmell and John Knable shall be trustees until the first election by the stockholders; notice of which election shall be given, by at least two insertions in one of the newspapers published in Somerset borough; the trustees now appointed, or that shall be elected under this act, shall hold their office until their successors be duly elected; if a vacancy occur by death, resignation or otherwise, the remaining trustees to fill such vacancy until the election next ensuing the said appointment, and if the stockholders fail to hold an election, the trustees to hold their office until such annual election shall be held; said trustees shall select from their number a president, secretary and treasurer, and they shall keep a fair record of the proceedings and transactions of the said institute.
Election of trustees.	
Trustees appointed until election.	
Notice.	
Vacancies.	
Officers.	
Votes of stockholders.	SECTION 3. The present stockholders of said institute, and those who may hereafter become stockholders, by the payment of sums not less than five dollars, shall vote as follows: For every five dollars, one vote; fifteen dollars, two votes; thirty dollars, three votes; fifty dollars, four votes, and seventy-five dollars, five votes; the stockholders shall be permitted to sell their stock, and at every election they shall only be permitted to vote in person.
Stock may be sold.	
Object.	SECTION 4. As this real estate was donated and the building erected for the purpose of placing within the reach of the youth of the county an academic education, the said trustees, in the future management of the institute, shall keep this object in view, and permit pupils from every part of the county to avail themselves of its advantages; and if, for any reason, the said trustees shall find it impossible to carry on the school themselves, they are hereby authorized to enter into an arrangement, in writing, with any society, religious body, or with the directors of the common schools of Somerset borough, who are hereby authorized to make such arrangement, leasing said building, and the ground appurtenant thereto, to said society, religious body, or the said directors, for any term of years the contracting parties may agree upon, with the condition that the party tak-
Trustees may lease building to any society, religious body or school directors.	
Terms of agreement.	

ing said lease, other than the common school directors aforesaid, shall covenant and agree to keep a high school in the said building, in which shall be taught the higher branches of an English education, and Latin and Greek, and that they, in conjunction with the said trustees, shall employ competent teachers for this purpose, and that they will keep said property in good repair, and pay the debts due at present, by said trustees, for lumber, fixtures and repairs to said building; this agreement to be binding only so long as the conditions specified are complied with: *Provided*, That the said trustees shall have an equal voice in the selection of the teachers, and in any changes, additions or improvements to be made to said property. *Proviso.*

SECTION 5. That the said society or religious body, or their representatives and trustees, shall have power to make such by-laws and regulations for the government of said institute, as they may deem necessary for the better carrying out the purposes of this act: *Provided*, That no pupil shall be rejected on account of religious belief. *Authorized to make by-laws. Proviso.*

SECTION 6. If, however, said building and ground be leased to said common school directors, it shall be for a high school for said borough, in which the branches aforesaid, and such others, as said directors may determine, shall be taught; that pupils from any part of said county, who are properly qualified, shall be also admitted, upon payment of the same price for tuition as it shall cost said directors for the resident pupils of said borough, attending said school, and that the employment of the teachers, and the entire control and management of said school shall, during said lease, be in the board of common school directors, for the time being, of said borough. *Conditions upon which the institute may be leased to school directors.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 508.

AN ACT

To incorporate the Home for Friendless Children, for the borough of Wilkesbarre and county of Luzerne.

WHEREAS, A number of citizens of this commonwealth have formed an association for the laudable and benevolent purpose of educating and providing for friendless and destitute children:

Preamble.

And whereas, The general assembly of this commonwealth are willing to encourage such purposes; therefore,

Corporators.	<p><i>SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> George M. Hollenback, John N. Conyngham, Nathaniel Rutter, Ziba Bennett, Sharp D. Lewis, Isaac Wood, William W. Loomis, S. R. Marshall, Dr. Edward Meyer, William Holmes, Andrew T. M'Clintock, George Loveland, Theodore Strong, Joseph H. Scranton, James Archibald, Samuel Sperred, John Brisbane, Aris Pardee, Jr., Abraham Price, Charles P. Wents, William Sweetland, Abm. H. Reynolds, Abraham Nesbit, Samuel Hoyt, William H. Alexander, William Dale, Edward Simpson, Samuel Walhams, Lot Search, George Coray, Jesse Thomas, John Urquhart, and their associates, be and they are hereby incorporated and made a body politic in law, by the name, style and title of the Home for Friendless Children, for the borough of Wilkesbarre and county of Luzerne, and by that name, style and title shall have perpetual succession, with power to have a common seal, and the same to change at pleasure, to make contracts relative to the institution, to sue and be sued, to plead and be impleaded, and, by that name, style and title, be capable of purchasing, holding, taking and conveying any estate, real or personal, for the use of the said corporation: <i>Provided</i>, The annual income of said estate shall not exceed ten thousand dollars, nor be applied to any other purposes than those for which this association is formed; to fix the quorum of the board of managers, and of the board of trustees, and appoint such officers as may be requisite; to establish such other by-laws, rules and regulations as the said corporation shall judge necessary or expedient for the management of the concerns of the said corporation: <i>Provided</i>, That the same be not repugnant to the constitution of the United States, or of this commonwealth.</p>
Title.	
Seal.	
Privileges.	
Annual income.	
Officers.	
By-laws.	
Proviso.	
Membership.	<p><i>SECTION 2. That every person who shall annually pay to the treasurer of the Home for Friendless Children, on or before the first day of May, the sum of one dollar, or upwards, shall be a member of the said Home for Friendless Children, for the borough of Wilkesbarre and county of Luzerne, while such person so contributes, and every person who shall pay ten dollars at one time, shall be a member for life.</i></p>
Management.	<p><i>SECTION 3. The affairs and concerns of the said Home for Friendless Children, for the borough of Wilkesbarre and county of Luzerne, shall be conducted by a board of managers, consisting of twenty-four ladies, and a board of trustees, consisting of sixteen gentlemen; and the members of the said corporation shall meet on the first Tuesday in May next, at such hour and place as the board of trustees shall designate, and elect a board of twenty-four managers, six of whom shall be elected to serve for one year, six to serve for two years, six to serve for three years, and six to serve for four years; and also a board of sixteen trustees, four of whom shall be elected to serve for one year, four for two years, four for three years, and four for four years; and the members of the said corporation shall annually, thereafter, on the first Tuesday in May, at such time and place as the said board of trustees shall designate, elect six managers</i></p>
Meeting.	
Election and classification of managers and trustees.	

and four trustees, to serve for four years; and shall, then and there, also elect a manager or managers, trustee or trustees, to fill any vacancy or vacancies that may be occasioned by the death, resignation, removal, or neglect or refusal to act, of any manager or trustee: *Provided*, That in case an election should not be held at the time provided, the board of trustees shall give at least ten days' notice that another election will be held, which said election shall be held within one month after the said first Tuesday in May: *And provided further*, That notice of any election shall be given at least twice, in two of the newspapers of the county of Luzerne, prior to the time of holding said election.

Vacancies.

Notice of elections.

SECTION 4. That it shall and may be lawful for the said managers and trustees, in their discretion, to take under their guardianship all children, who may be placed under their care and management, in either of the following modes: firstly, white children, under twelve years of age, who shall be voluntarily surrendered by their father, or in case of his death or absence, by their mother, or by their guardians, to the care of the said managers and trustees; secondly, white children, under twelve years of age, who may be committed to the care of the said managers and trustees by either of the judges of the court of common pleas of the county of Luzerne, on account of vagrancy, or the exposure, neglect or abandonment of said children, by their parent or parents, guardian or other persons having custody of said children; and it shall be the duty of any judge, so committing any child to the care of said managers and trustees, to annex to the said commitment an abstract of the evidence taken by him, and on which his adjudication was founded, which said evidence shall be under oath or affirmation, and taken in the presence of said child.

Authorized to take children under their guardianship.

Modes of.

SECTION 5. That the said managers and trustees shall have the guardianship of the said children, so placed under their care and management, during their minority, shall cause them to be educated and instructed in a proper manner, and may, when, in their discretion, it shall appear proper, bind the said children, with their consent, as apprentices, during their minority, to such persons, and at such places, and to learn such trades and employments as, in the judgment of said managers and trustees, will be most conducive to the benefit and advantage of said children: *Provided*, The charge and power of said managers and trustees, over and upon the said children; shall not, in the case of females, extend beyond the age of eighteen years; or the said managers and trustees may, in their discretion, return the said children to their parents, or surviving parent, or guardian.

Duties of managers and trustees.

May bind out children, as apprentices.

Proviso.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 509.

AN ACT

To incorporate the village of Dunmore, in the county of Luzerne, into borough.

Boundaries.	<p><i>SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the village of Dunmore, in the county of Luzerne, and such territory adjacent thereto as is comprised within the following boundaries, to wit: Bounded on the north by the township of Blakeley, on the east by the townships of Jefferson, Madison and Spring Brook, on the south by the township of Lackawanna, and the south line of certified lot numbered thirty-two of the certified township of Providence, and on the west by the borough of Scranton, the Lackawanna river and the borough of Providence, comprising all that part of the township of Providence lying east of the Lackawanna river, and that part of the borough of Scranton, included in certified lot numbered thirty-two, of the old certified township of Providence, be and the same is hereby erected into a borough, to be called the borough of Dunmore, and shall enjoy all the privileges, and be subject to all the restrictions of boroughs, under the general borough law, passed the third day of April, Anno Domini one thousand eight hundred and fifty-one.</i></p>
Subject to.	<p><i>SECTION 2. That the said borough shall form a separate election and school district.</i></p>
Separate election and school district. Elections, where and how held.	<p><i>SECTION 3. That the qualified electors therein shall, on the second Tuesday of May next, and annually thereafter, meet at the house now occupied by Mrs. Phæbe Ann Chapman, in said borough, and then and there, between the hours of nine o'clock in the forenoon and seven o'clock in the afternoon, elect, by ballot, one reputable person, to be styled chief burgess of said borough, and five other persons, to be members of the town council, one assessor and two assistant assessors, when required by the laws of this commonwealth, two justices of the peace, when required by said laws, one constable, one treasurer, who shall also be treasurer of the school fund, one street commissioner, one judge and two inspectors of the election; and at the first election, six school directors, two of them to serve for one year, two for two years, and two for three years, and annually thereafter, two persons to serve as school directors for three years; at the said first election, three persons as borough auditors, one thereof for one year, one for two years and one for three years, and annually thereafter, one to serve for three years; all of which said officers shall be citizens of said borough, shall have resided therein at least six months immediately preceding said election, and, within one year, paid a borough tax therein, if such tax shall have been assessed, and, at the first election, shall have paid a township tax in the said township of Providence.</i></p>
Burgess and council.	
Assessors, justices, &c.	
School directors.	
Auditors.	
Qualifications of officers.	

dence ; the said election shall be conducted in the same manner as is provided for township officers of this commonwealth, except that the certificate of all the borough officers shall be filed among the records of the corporation.

Certificates of election to be filed.

SECTION 4. That the first election under this act shall be held by a judge and two inspectors, to be chosen by the qualified electors of said borough, who may be present at the opening of said election, and the inspectors so chosen shall appoint each one a suitable clerk ; and the constable of the township of Providence is, by himself or deputy, required to attend at the place hereinbefore designated for holding said election, on the day of the first election, at nine o'clock in the forenoon, to open the same ; he is required to give five days' previous notice of said election : *Provided*, That if said constable shall fail to be present at the time aforesaid, the election may be opened by any qualified elector of said borough.

Officers to hold the first election.

Duties of the constable of Providence township

Provide.

SECTION 5. That the school directors elected under this act shall perform the same duties and possess the same powers, in all respects, as school directors elected agreeably to the general laws of this commonwealth ; and those first elected shall, immediately after their election, cause to be made an enumeration of the taxable inhabitants of said borough, and the president of the board of directors shall certify the same to the superintendent of common schools, who is hereby directed to adopt the number of taxables, so certified, as a basis of distribution to said borough of its share of the state appropriation ; and the said borough shall be entitled to its share of the Proprietors' school fund of the township of Providence, and the said school directors, ex-officio, shall be the trustees of the same ; the said school directors shall, on or before the first day of May in each and every year, prepare a statement of their finances, including their receipts and disbursements, during the year then last past, and the amounts due to and from them, and shall publish the same in at least one newspaper, published within the bounds of the original township of Providence.

Duties of school directors.

SECTION 6. That the corporation shall have power to purchase and hold such real or personal estate as the purposes of the borough shall require, not exceeding the yearly value of one thousand dollars, and convey the same, when the interests of the borough shall be promoted by it.

Corporation authorised to purchase real estate.

SECTION 7. That the burgess and town council of said borough shall have the care of the poor of said borough, and all the powers and duties of overseers of the poor shall be exercised and performed by them, subject to such penalties for neglect of duty, as is provided by the laws of the commonwealth for the care of the poor ; and any person employed by said burgess and town council, to attend to said duties, shall not receive for his services more than twenty-five dollars per annum.

Burgess and council to act as overseers of the poor.

SECTION 8. The qualified electors residing in that part of Providence township lying west of the Lackawanna river, shall meet at the school house on the west side of the public road, near the Diamond coal mines, in the month of October, one thousand eight hundred and sixty-two, at the usual time of holding the election for state and county officers, and choose from the qualified electors present, by open nomination and hand

Elections in Providence township west of the Lackawanna river.

vote, the proper officers for conducting said election; and the school house aforesaid shall be the place of holding the elections hereafter in said township.

Court to appoint commissioners to ascertain the indebtedness of Providence tp. and make distribution thereof, &c.

Their duties.

Settlement of claims, mode of, &c.

Appeals, how tried.

Proportionate amounts of indebtedness of the several boroughs, how determined.

Authorized to examine accounts and books of borough and township officers.

May enforce attendance.

Treasurer appointed.

SECTION 9. The court of common pleas of the county of Luzerne shall have power, and it shall be their duty, at the May term of said court ensuing next after the passing of this act, or at any subsequent term, to appoint three suitable and disinterested persons as commissioners, for the purpose of ascertaining the present indebtedness of said township of Providence, and what amount, if any, of the same is due and owing from the boroughs of Providence, Hyde Park, Scranton and Dunmore, respectively, and to make a just and equitable distribution, on oath, of the balance of said indebtedness, between the township of Providence and the boroughs of Providence, Hyde Park, Scranton and Dunmore; it shall be the duty of the said commissioners to advertise, in at least two newspapers, published in the said county of Luzerne, one of which shall be published within the bounds of the original township of Providence, for at least six weeks before the first day of July next, requiring all persons, having claims against the said township of Providence, to present the same to the said commissioners, on or before the first day of July, Anno Domini one thousand eight hundred and sixty-two; all persons not presenting their said claims, on or before the said day, shall be forever debarred from enforcing the collection of the same, by any process under the laws of the commonwealth of Pennsylvania; the said commissioners shall then determine and decide upon the validity and amount of the said claims, and their decision shall be final on all such claims, unless either party, within twenty days after the same shall be given, shall appeal to the court of common pleas of Luzerne county, which appeal is hereby authorized to be taken in the same manner, and subject to the same restrictions, as an appeal from an award of arbitrators, and shall be tried on an issue formed under the direction of the court; the said commissioners shall, after determining the amount of the respective claims, proceed to determine the amount of indebtedness of the said township of Providence, existing at the time the borough of Providence was erected, and ascertain the proportionate amount thereof justly chargeable to the said borough; they shall, in the same manner, determine the proportionate amounts justly chargeable to the boroughs of Hyde Park, Scranton and Dunmore, respectively; in arriving at the said amounts, they shall take into consideration such debts as were in existence at the several times, when the said boroughs were erected, whether the same have since been paid or not, and also the several amounts of township taxes then unexpended; to obtain the necessary information for this purpose, the said commissioners shall have full power to call before them any person or persons, who then are, or who have been, borough or township officers, within the said original township of Providence, and to require them to produce all books, papers, accounts and vouchers in their possession, and to enforce their attendance by subpoena or attachment; the said commissioners shall appoint a suitable person as their treasurer, and require him to give bond in such sum as they shall direct, conditioned for the faithful performance of his

duties ; they shall notify the said several boroughs and township of the amounts they are respectively required to contribute towards the payment of the said indebtedness, including the necessary costs of said commission, and require the said boroughs and township to pay the said amount to the said treasurer within such time as the said commissioners shall deem reasonable ; and should the proper authorities of the said boroughs and township neglect or refuse to pay the said amount, as aforesaid, the said court of quarter sessions of Luzerne county shall, upon application thereunto, enforce the payment thereof by attachment ; the money so received, by the said treasurer, shall be paid out only upon orders drawn upon him by the said commissioners, who are hereby directed to apply the same, as fast as it shall accrue, to the payment of said indebtedness, beginning at the oldest claim and continuing until the whole shall be paid ; the said commissioners shall receive, as compensation for their services, the sum of two dollars per day for every day each one of them shall necessarily be engaged about said business ; and should a vacancy occur in their number, by death, resignation or otherwise, the remaining commissioner or commissioners shall fill the said vacancy ; the compensation of the said treasurer shall be one per centum on all moneys received by him, and no more.

Notice of the amount due to be given.

Payment.

Court to enforce payment by attachment.

How to be applied.

Compensation of commissioners.

Vacancies.

SECTION 10. That all the borough, school and poor taxes assessed in the said borough of Dunmore, shall be collected as follows, viz : As soon as the said taxes shall be assessed, which shall be on or before the first day of June, in each and every year, the duplicate lists of the same shall be placed in the hands of the treasurer of the said borough ; it shall be the duty of said treasurer thereupon to advertise, by not less than six hand-bills, set up in the most public places in said borough, stating therein that he will meet the tax-payers of the said borough at a place within said borough, therein mentioned, on the day therein designated, in each of the months of June, July, August, September and October of that year, to receive their taxes ; said day shall be one of the days between the eighteenth and twenty-fifth days of said months, respectively ; said hand-bills shall, also, state the amount of each tax assessed against each payer, respectively, and no other further notice of the assessment of said taxes shall be required to be given to the said tax-payers, than the said hand-bills so set up, as aforesaid ; on all taxes paid to the said treasurer on or before the day so designated in the month of June, an abatement of two per centum from the amount thereof, shall be made by the said treasurer ; on all taxes so paid on or before the day so designated in the month of July, an abatement of one and one-half per centum shall be so made ; on all taxes so paid on or before the day so designated in the month of August, an abatement of one per centum shall be so made ; on all taxes so paid before the day so designated in the month of September, an abatement of one-half of one per centum shall be so made ; the said treasurer shall receive, as his compensation, one per centum on all moneys received by him and no more ; immediately after the day so designated in the month of October, new duplicates shall be made out, of the amounts then uncollected of the said taxes, after all necessary

Mode of collecting borough, school and poor taxes.

Duties of treasurer.

Notice to tax-payers.

Abatements.

Compensation of treasurer.

When duplicates to be placed in the hands of the constable.

Powers and compensation of same.

exonerations have been made, which shall be placed in the hands of the constable of the said borough, with warrants from the authorities assessing the said taxes, conferring upon the said constable the same powers now vested in the collectors of state and county taxes, by virtue of the laws of this commonwealth and the warrants of the county commissioners; the said constable shall forthwith proceed, either by distress or otherwise, to collect the said taxes contained in the said duplicate lists, together with the additional sum of ten per centum on the several amounts, which said ten per centum shall belong to the said constable, and shall be full compensation to him for his said services, in lieu of all commissions, costs or other charges; the said constable shall be required, in addition to the bond now required of him, to give his bond to the said burgess and town council, satisfactory security, in a sum equal to twice the amount of the said duplicate lists, conditioned for the faithful performance of his duties in this respect, and he shall be required to make a full settlement of his said duplicates on or before the first day of April next after he shall have received the same; the said treasurer shall not be entitled to any extra compensation for the services required of him by this section, except the amount he may be obliged to pay for the said handbills.

Constable to give bond.

When to make settlement.

Treasurer not entitled to extra compensation.

Court empowered to enforce the eighth section.

Business of Providence tp., how to be conducted.

SECTION 11. The court of common pleas of said county shall have power, and they are hereby directed to enforce the provisions of the eighth section of this act, by attachment or otherwise, as the judge thereof may deem proper.

SECTION 12. That for all the purposes of the present year, the business incident to the said township of Providence, shall be conducted by the officers of said township, as though this act had not passed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 510.

AN ACT

To incorporate the Winslow Colliery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of enabling Rueben Winslow to construct a railroad to connect his mines, in Elk county, with the Philadelphia and Erie railroad, the said Rueben Winslow, his associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Winslow colliery, with authority to mine coal, and for transacting the usual business of companies engaged in the mining, transporting to market and selling coal and other productions of the land they may own, in the county of Elk, and to construct a railroad, to connect such lands with the Philadelphia and Erie railroad; and the said corporation, by the said name, is hereby declared, and made capable, in law, to sue and be sued, to plead and be impleaded, to have a common seal, the same to alter and renew, at pleasure, to make rules and by-laws not inconsistent with the constitution or laws of this commonwealth, and generally to do and execute, for the well being of said company, whatever shall be lawful: *Provided*, That the railroad privilege, granted in this act, shall not interfere with the right of the Allegheny Valley railroad to connect with the Philadelphia and Erie railroad, by the shortest and most feasible route; and the said Allegheny Valley railroad, until it is finally located, shall have priority of location over the railroad privilege granted by this act: *Provided further*, That the said Allegheny Valley road shall be located within one year from the passage of this act.

Incorporation.

Powers and privileges.

Railroad authorized.

Seal.

By-laws.

Not to interfere with the right of connection of the Allegheny Valley railroad.

Said road to be located within a year.

SECTION 2. That the capital of said company shall not exceed two hundred thousand dollars, or ten thousand shares, of twenty dollars each; which stock shall only be employed in the purchasing and holding the lands, hereinafter authorized to be held, in its improvement, in the construction of the railroad authorized, and such railroad cars, boats and machinery, as may be necessary or useful in the mining, or transportation to market, of the coal, or other products of the land, and the payment of salaries and wages, or other expenses, incurred in that connection; such stock shall be assignable, in the manner prescribed by the directors.

Capital stock.

How to be employed.

Transferable.

SECTION 3. That whenever the said Rueben Winslow shall make, or procure other persons to make, a subscription of five thousand shares of the stock, as created in the second section of this act, with the evidence that one dollar per share is paid into the hands of some person he may select, for the benefit of

When letters patent to issue.

the company, then the governor shall, by letters patent, under his hand and the seal of the state, create and erect the said Rueben Winslow, his associates, successors and assigns, into a body corporate, by the name, style and title of the Winslow colliery.

Management.

SECTION 4. That the affairs of said company shall be managed by five directors, one of whom shall be the president; any three, the president being one, shall constitute a quorum to transact business; the president and directors shall be elected for one year, and shall continue until their successors are legally chosen.

Election of board of directors.

SECTION 5. That the first election of directors shall be at such time and place as the corporators, herein named, may indicate; and all subsequent elections shall be held at such place as the directors shall indicate, thirty days' notice of the time and place being given, by publication in the newspaper nearest the place of business of the company; at all elections, each share of stock shall be entitled to one vote, but no stock shall be allowed to vote that has not been held, by the person desiring to vote it, sixty days, on the books of the company.

Notice.

Votes.

Instalments on stock.

SECTION 6. That the directors may, from time to time, call in such instalments on the stock subscribed, on giving notice in the papers of Elk county; and if stock be subscribed in New York, or Philadelphia, then said notice shall be inserted in one daily paper published in said cities, for three days; and if any subscriber shall fail to pay the same, within thirty days of the time designated, the directors may declare the stock forfeited to the use of the company.

Forfeiture for non-payment of same.

Dividends.

SECTION 7. That the profits of the company may be divided semi annually, but not to impair the capital stock.

Lands.

SECTION 8. That the corporation, hereby created, shall not hold more than three thousand acres of land, in fee simple, in the said county of Elk.

Construction of railroad, relative to.

SECTION 9. That the railroad, authorized in the first section of this act, may be constructed, with one or more tracks, from any point on the lands indicated, to connect the same with the Philadelphia and Erie railroad, at Colman's; and, in its construction, the corporation, hereby created, shall be governed by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine; and they shall have power to mortgage their lands, as well as the railroad, to a sum not exceeding the capital stock, but the bonds, in pursuance of such mortgage, may bear such rate of interest as the directors may indicate, and be sold for such price as can be obtained: *Provided*, That the said Winslow, and those who may be associated with him, shall be jointly and severally liable, in their individual capacities, for all debts and contracts made by said company, so far as relates to the mining of coal by the said company, and the usual business connected therewith; and also, all debts due mechanics, workmen and laborers, employed by, and materials furnished to said company in the mining and transportation of coal, to be sued for and collected, as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the

May mortgage lands and railroad.

Individual liability.

Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 511.

AN ACT

Incorporating the Real Estate Savings Institution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas M. Howe, Isaac Jones, Jacob Painter, J. K. Moorhead, Harvey Childs, William H. Smith, W. B. Copeland, C. G. Hussey and Nicholas Voegtly, and their successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Real Estate saving institution, to be located in the city of Pittsburg, and by this name shall be incorporated, for the period of twenty years; the above named persons shall constitute a board of trustees of this institution, and they shall elect a president from their own body, who may receive a salary for his services; the trustees may appoint a treasurer and secretary, or treasurer only, with such other officers and clerks as they may deem necessary, and fill any vacancies, which may occur in their own body, until the election subsequent to such vacancy: *Provided,* That all trustees shall be stockholders, with the exception of the first herebefore named; trustees may be re-elected; the first election for trustees shall take place on the first Tuesday of November, Anno Domini one thousand eight hundred and sixty-four, and elections shall take place on the first Tuesday of November, every second year thereafter, in the manner hereinafter provided; the number of trustees shall be nine.

SECTION 2. That any two of the trustees may call the others together to organize the institution; said corporation may have a common seal, which may be changed at pleasure; and all deeds, grants and agreements, made by authority and direction of the trustees, shall be good and valid, and the said corporation shall at all times have power to sue and be sued, implead and be impleaded, and defend by the name aforesaid.

Corporators.

Name.

Limitation.

Trustees.

Officers.

Vacancies.

Proviso.

Elections.

Number of trustees.

Organization.

Seal.

Privileges.

By-laws.

SECTION 3. That the board of trustees shall have power to make by-laws for the management of the corporation: *Provided*, That the same are not repugnant to the constitution and laws of the United States, or of the state of Pennsylvania; and said corporation may purchase and hold real estate for the transaction of their business, and, also, other real estate, if deemed necessary to secure any loan made upon it.

May hold real estate.**Authorized to receive money on deposit and loan the same on securities on real estate.****Limitation.****Loans to be first liens.****Funds may be invested in State or United State securities.****Proviso.****Who to be stockholders.****Votes.****Stockholders transferring deposits forfeit right to dividends.****Exceptions.****Liability.****Dividends, when and how declared**

SECTION 4. That said institution may receive money on deposit, for which interest may be paid, in accordance with the by-laws of said corporation, and to secure the depositors from loss, the money so deposited shall be loaned on the following securities only, to wit: On real estate within this commonwealth: *Provided*, That the loans on the same shall not exceed, in the judgment of the trustees, two-thirds of the cash value: *And provided also*, That said loans shall be the first mortgage or lien on said real estate; but this shall not be construed to prevent the trustees from purchasing first liens, or other securities on any real estate held by others, at such rates or terms as may be agreed on; the funds of the institution may, also, be invested in bonds or securities of the state of Pennsylvania, or of the United States, but in no other way shall the funds of this institution be invested, except as hereinbefore specified: *Provided*, That the same may be deposited, for safe keeping, with a bank or bankers, till the same are invested or paid to depositors.

SECTION 5. That the stockholders of this institution are defined to be all persons who shall place on deposit in the institution, within four months from date of its opening for business, any sum of money, not less than one hundred dollars, and who shall keep the same, the whole amount deposited with the institution during the continuance of its charter, but in case the said deposit, or any part of it is drawn out of the institution, during the continuance of this charter, such depositor shall cease to be a stockholder; every stockholder, as aforesaid, shall be entitled to vote at an election, or at any meeting convened for business, as follows, to wit: Depositors being stockholders to amount of one hundred dollars, one vote; three hundred dollars, two votes; five hundred dollars, three votes; one thousand dollars, five votes; but no vote for any additional sum less than five hundred dollars; absent stockholders may be represented by proxy, but no depositor, who is not a stockholder, shall be entitled to vote.

SECTION 6. That the sale or transfer, by any stockholder of any deposit as aforesaid, shall work a forfeiture of all rights and interest of said stockholder to any profits or dividends arising therefrom, and to entitle the stockholder to the profits arising from such deposit, it must be held by the party so depositing, or in case of death, by his or her descendants or legal representatives; no stockholder shall be liable beyond the amount of his or her deposit, (made within the four months aforesaid,) for any other deposits of the institution, or for any of its debts or liabilities, and the profits shall be divided in manner and form, to wit: Whenever the net profits of the institution, over and above all debts and expenses, shall amount to, or exceed the sum of twenty thousand dollars, the trustees may declare a dividend of one half of such net profit or surplus,

and five per cent. of the dividend so declared shall be paid to the treasurer of the commonwealth, for the use of the state, and the residue shall be divided among the stockholders; and the trustees may make other dividends of the profits, that may hereafter accrue, to the stockholders, at such time or times as they may deem expedient; in case of closing the institution, by lapse of time, or by forfeiture, should there be any funds on hand, or any assets of any kind belonging to the institution, over and above the debts and expenses, five per cent. thereon shall be paid to the commonwealth as aforesaid, and the residue shall be divided among the stockholders *pro rata*.

Five per cent. to be paid to state.

Closing of the institution, relative to.

SECTION 7. That the trustees of this institution shall cause a statement of its condition to be published, during the month of November, Anno Domini one thousand eight hundred and sixty-three, and annually thereafter, in at least two newspapers printed in the city of Pittsburg; and notice of any regular meeting of stockholders for election of trustees, shall be published in one or more newspapers in said city, for at least two weeks previous to such meeting; and the time and place and manner of conducting said election shall be prescribed by the by-laws of said institution.

Annual statement to be published.

Notice of meetings.

SECTION 8. That nothing herein contained shall authorize the said institution to do or carry on any banking business.

Prohibition.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 512.

AN ACT

To provide for the Adjudication and Payment of certain Military Claims.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the adjutant general, the quartermaster general and the commissary general, shall be a board, any two of whom shall form a quorum, to whom all claims contracted for the subsistence, clothing, transportation or organization of our volunteers, under orders of authorized officers of this state, shall be submitted, with power to take testimony, whose report, accompanied by the

Board constituted for examination of military claims.

What claims to be submitted.

- Report to be made to auditor general, for his decision.** evidence, shall be returned by them to the auditor general for his approval or disapproval, whose decision shall be final and conclusive; and the auditor general is hereby authorized and directed to draw his warrant on the state treasurer for the amount allowed in each case: *Provided*, That no higher price shall be allowed than has been paid for like articles, procured under contract by the state: *And provided further*, That so much, as may, in the judgment of said board be due upon any contract made prior to the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one, by any military officers of this state in good faith with citizens of this state, may, in their discretion, be paid on due proof of such contract, or so much as may in their judgment be the true value of the goods or merchandise so purchased.
- Provide.**
- Provide.**
- What the settlement to embrace.** SECTION 2. That such settlement shall embrace the claims for pay of all Pennsylvania volunteers; of persons acting in the capacity of officers, from the time they commenced to recruit under the authority of the state, and of privates, from the date of their enrolment: *Provided*, That no such claim shall be allowed to privates, unless the claimant has been actually sworn into the service of the state or of the United States, by one of its own officers, or by a regular mustering officer of the army, or by some civil officers, duly qualified to administer an oath: *And provided further*, That no officer shall be entitled to the benefits or provisions of this act, until he shall file in the office of the adjutant general an affidavit, that he has not any time received any pecuniary compensation, or promise thereof, for the procuring of any commission, or appointment of any officer, sutler, or other appointee connected with the volunteer service, or who has transferred any portion of the men that he recruited, or assisted in recruiting, to any other company, battalion or regiment, for a pecuniary consideration: *And provided further*, That in the settlement of claims under the provisions of this section, said board shall allow such claims, and so much of such claims as may be presented, as in their opinion, may in justice and equity be due for the services rendered.
- Claims of privates.**
- Officers.**
- Certain affidavits to be made.**
- What claims to be allowed.**
- Companies or regiments disbanded, relative to.** SECTION 3. That any company or regiment having enlisted in the volunteer service, and having been ordered by the military authorities of the state of Pennsylvania or of the United States, to rendezvous at any point, and having proceeded to such rendezvous, and shall there or elsewhere have been disbanded by the governor, or other proper authority, without having been mustered into service, shall receive compensation for such time; and all claims for subsistence, clothing and transportation of such company, or regiment, shall be adjusted by said board: *Provided*, That no claim shall be allowed under the provisions of the first four sections of this act, unless the same be presented within one year after the passage thereof.
- Claims to be presented within one year.**
- Pay of volunteers, discharged on account of sickness.** SECTION 4. That when any volunteer, after having been enrolled and joined his company, shall have become sick and shall have died, or shall have been discharged on account of such sickness, without having been regularly mustered into service, such soldier shall be entitled to the same pay and other provisions, from the time of his enrolment to his discharge or death, as he would have been entitled to, had he been regularly

mustered into service; and in case of the death of such soldier, his widow and minor children, if any, shall be entitled to the benefits provided in the sixteenth section of the act of fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one, for soldiers, who may die after having been mustered into the service of the United States or of this state.

Provision made for widow and minor children in cases of death.

SECTION 5. That any soldier, enlisted in the Pennsylvania volunteers under the act of May fifteenth, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and provide for arming the state," or who were called into such service under the requisition of the president of the United States, and who has or hereafter may become insane, who has not at such time been mustered into the service of the United States, shall be sent by order of the secretary of the state to the State Lunatic asylum, at the expense of the state: *Provided*, His insanity be certified to by the surgeon of his regiment, and approved by the surgeon general of Pennsylvania.

Soldiers becoming insane to be sent, by state, to the asylum.

SECTION 6. That all moneys, made payable by the provisions of the foregoing sections of this act, shall be paid out of the war loan, authorized by the act of the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to create a loan and provide for arming the state;" and in case said fund should be insufficient to pay the same, then out of any money in the treasury not otherwise appropriated.

How money, due under this act, to be paid.

SECTION 7. That the said board, named in the first section of this act, shall also examine, and report to the next legislature, in writing, the result of such examinations, all claims of citizens of this commonwealth, who have been engaged in recruiting and organizing the volunteer forces of this state for the war, by authority, in writing, from the war department of the United States, or from persons thus duly authorized, according to their designated rank or position, for the time in which they were thus actually engaged, at the rate of persons performing similar duties in the volunteer service of this state, but only in proportion to the real services rendered: *Provided*, That no claim shall be considered or reported under this section to any officer who has been paid by the United States, for the subsistence of men recruited by him or under his authority, until he shall have satisfied the board that he has paid, in full, all the debts contracted by him, in the name of the government or in his own name, for the support of such men.

Board to report to the next legislature result of their examinations of claims of persons, recruiting by authority of war department of the United States.

Provided.

SECTION 8. That in all counties of this state, where lands or tenements were occupied by troops, the owner or owners thereof may apply by petition, setting forth the facts, and the amount claimed, with affidavit of the claimant as to the truth of the petition, to the court of common pleas of the county, in which the lands or tenements are situated, and upon such application, the court shall appoint three disinterested appraisers, who shall, within twenty days after their appointment, having first been duly sworn or affirmed to make a just and true valuation of the alleged damages, proceed to view the premises and hear any testimony presented or desired by said appraisers, and shall report the sum they find to be due, if any, with all the testimony, to the said court; the said court may confirm said report, or

Mode of settlement of damages to lands or tenements occupied by troops.

Copies of reports on certain claims to be transmitted to Washington.

Claimants to file releases with the state treasurer.

To whom this act to extend.

refer it back to the same appraisers, or appoint new appraisers, as may best, in the opinion of the court, subserve the ends of justice; and upon the confirmation of such report, the amount therein stated to be due shall be certified, with all the testimony, by the prothonotary of said court, to the board appointed by the first section of this act, to be examined and reported upon to the legislature: *Provided further*, That as soon as the claims, named in the seventh and eighth sections of this act, are properly adjusted, the above named board shall transmit to the war department at Washington, a copy of their report upon each.

SECTION 9. No claim shall be paid under the provisions of this act, unless the claimant shall file, in writing, with the state treasurer an agreement or pledge, that the sum so paid is accepted as a full release and discharge of the state and national governments, from all other or further liability for, or on account of, the subject matter of such claim.

SECTION 10. That the provisions of this act, so far as applicable, shall be extended to all citizens or residents of Pennsylvania, who have heretofore entered into the active service of the United States, or any other state of this union: *Provided*, That such persons have not been or shall not be provided for and paid by such other state or by the United States.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

·APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 513.

AN ACT

Relating to certain Children's Homes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for any judge, mayor, alderman or justice of the peace of the city of Philadelphia, to indenture, bind or commit, to the St. John's Orphans' asylum, or the St.

Vincent's Home, located in the city of Philadelphia, orphan, destitute, abandoned or vagrant children.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 514.

AN ACT

Confirming the revised Grade and Survey Regulations of the first and second sections of the survey of West Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That plans numbers forty-two and forty-three, being the revised grade regulations of the first and second sections of the survey of West Philadelphia, approved by the board of surveyors of the city of Philadelphia, on the seventeenth day of February, Anno Domini eighteen hundred and sixty-two, and now on file in the office of the department of surveys of said city, be and the same are hereby confirmed; and all the heights, grades, distances, and street and curb lines, marked on said plans, are hereby fixed and established.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 515.

AN ACT

Supplementary to an act approved the twenty-seventh day of May, one thousand eight hundred and forty-one, entitled "An Act to authorize the licensing of Stock Brokers, Exchange Brokers, and to regulate contracts for the purchase and sale of Loans and Stocks."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sixth section of the act of the twenty-seventh day of May, Anno Domini one thousand eight hundred and forty-one, entitled "An Act to authorize the licensing of stock brokers, exchange brokers, and to regulate contracts for the purchase and sale of loans and stocks," be and the same is hereby repealed.*

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 516.

AN ACT

To repeal certain acts supplementary to an act, entitled "An Act to incorporate the Reliance Insurance and Trust Company," to reduce the authorized capital of said Company, and to change the corporate name thereof to that of the Reliance Insurance Company of Philadelphia.

Repeal of certain
acts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act supplementary to an act, entitled 'An Act to incorporate the Reliance insurance and trust company,'" approved the eighteenth day of April, one thousand eight hundred and forty-three; also, an act, entitled "A further supplement to an act, entitled 'An act to incorporate the Reliance insurance and trust company,'" approved the twenty-fourth day*

of February, one thousand eight hundred and forty-five; also, an act, entitled "A further supplement to an act, entitled 'An Act to incorporate the Reliance insurance and trust company,'" approved the thirty-first day of March, one thousand eight hundred and fifty-four, shall be and the same are hereby repealed: *Provided*, That such repeal shall in nowise impair, or otherwise *Proviso.* affect, any contract or engagement, to which said corporation may have become a party, prior to the passage of this act.

SECTION 2. That the corporate name, style and title of the *Name changed.* Reliance insurance and trust company, incorporated by an act, approved the twenty-first day of April, one thousand eight hundred and forty-one, shall be and the same is hereby changed to the Reliance insurance company of Philadelphia, and by that name, style and title shall have and enjoy all the rights and privileges, and be subject to all the restrictions and penalties *Subject to.* named and provided in said recited act; and the capital stock authorized by said recited act, shall be and the same is hereby reduced from five hundred thousand dollars, divided into shares of one hundred dollars each, to three hundred thousand dollars, *Capital stock reduced.* divided into shares of fifty dollars each; any additional amount, required to increase the present cash capital of said company to the said sum of three hundred thousand dollars, may be subscribed and paid in according to the provisions of the above mentioned act, or the same may be paid in cash, according to *Additional subscriptions, how to be paid in.* such rules and regulations as may be adopted at a general meeting of the stockholders, convened for that purpose; the present *Directors.* directors shall continue in office until the third Monday in December, one thousand eight hundred and sixty-two, and thereafter, the affairs of said company shall be managed by thirteen directors, to be elected as provided in the above recited act.

SECTION 3. That no loan of any part of the capital stock, or other funds, of the Reliance insurance company of Philadelphia, shall, in any case, directly or indirectly, be made to any director, officer, agent or other employee of said company. *Loans not to be made to directors, officers, &c.*

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 517.

AN ACT

To repeal so much of the thirtieth section of an act, entitled "A supplement to the act consolidating the city of Philadelphia," passed April twenty-first, one thousand eight hundred and fifty-five, as relates to the widening of Fifth street, northward of York street, in said city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of section thirty of an act, entitled "A supplement to the act consolidating the city of Philadelphia," passed the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five, as relates to the widening of Fifth street, northward of York street, be and the same is hereby repealed; and that Fifth street, northward from York street, shall be opened of the same width as laid out in the original plan of the city of Philadelphia.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 518.

AN ACT

Authorizing proceedings against the Pennsylvania Coal Company, and the Delaware and Hudson Canal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general of this commonwealth is hereby directed, within sixty days after the passage of this act, by such process, in either law or equity, to bring before the supreme court the Delaware and Hudson canal company, and the Pennsylvania coal company, to show by what authority they executed a certain agreement between said companies, bearing date the thirty-first day of August, Anno Domini one thousand eight

hundred and forty-seven, by which, said Delaware and Hudson canal company leased, to said railroad company, one-half of the capacity of their canal; and if, upon such investigation, it shall appear that said agreement was or is in excess of the legitimate power of said corporators, and they or either of them shall refuse to annul the same, the party so refusing shall be proceeded against for the purpose of annulling their charter; and in case the attorney general shall not be satisfied that he can carry out the object of the foregoing provisions, under existing laws, he shall report to the next legislature what further enactments may be necessary for that purpose.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 519.

A SUPPLEMENT

To an act incorporating the Pennsylvania Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter, at the election of directors of the Pennsylvania coal company, each stockholder shall be entitled to a vote for each share of stock held by him, and that thirty days' notice shall be given of the time and place of said election, in one daily newspaper, published in the cities of New York and Philadelphia, and one weekly paper, published in Luzerne and Wayne counties, respectively, at least thirty days before said election; and said election to be held either in Hawley, Wayne county, or Pittston, Luzerne county; all acts inconsistent herewith are hereby repealed.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND SIXTY-TWO.

No. 1.

JOINT RESOLUTION

Relative to the pay of George W. Householder.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and required to pay George W. Householder twenty-one dollars per day, from the organization of the house until the sixteenth day of January, one thousand eight hundred and sixty-two, inclusive, together with usual mileage.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twentieth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 2.

RESOLUTION

Relative to the Legislative Manual and Purdon's Digest.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of the senate and house of representatives be authorized to procure a copy of Sutherland's and Ziegler's Manual, and one copy of Purdon's Digest, for each member and clerk, and assistant clerk, of the respective houses, and that the state

treasurer be and he is hereby authorized to pay for the same, out of any moneys in the treasury not otherwise appropriated.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-first day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 3.

RESOLUTION

Relative to the pay of the Retiring Officers of the General Assembly.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and directed to pay, out of any money in the treasury not otherwise appropriated, as follows, viz :

To C. P. Ramsdell, late assistant clerk of the senate, ten days' pay and mileage.

To R. F. Cooper and G. W. Patton, late transcribing clerks of the senate, ten days' pay each and mileage.

To Kennedy M'Caw, late assistant sergeant-at-arms of the senate, ten days' pay and mileage.

To William H. Huddleson, late messenger of the senate, ten days' pay and mileage.

To James Lindle, Samuel Price and William Miller, late assistant door-keepers of the senate, ten days' pay each and mileage.

To William H. Dennison, late transcribing clerk of the house of representatives, ten days' pay and mileage.

To J. R. Matthews, late sergeant-at-arms of the house of representatives, ten days' pay and mileage.

To A. Dale, late assistant sergeant-at-arms of the house of representatives, ten days' pay and mileage.

To William R. Gardy, William Lewis and H. Hough, late assistant door-keepers of the house of representatives, each ten days' pay and mileage.

To H. G. Gibson, late messenger, and to J. S. Johnson, J. W. Jones and R. Brigham, late assistant messengers of the house of representatives, each ten days' pay and mileage.

To William A. Boslor, J. Welsh, M. Berwick, T. Ginkinger, J. S. Meckling, D. Smith, S. B. Hamilton, J. Peters and R. Booz, late pasters and folders of the house of representatives,

LAWS OF PENNSYLVANIA,

three dollars per day each, for ten days, as a full compensation for their services.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-third day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 4.

JOINT RESOLUTION

Relative to Lake and River Defences of Pennsylvania.

WHEREAS, The state of our relations with foreign powers is such as to excite well founded apprehensions for the permanency of our peaceful relations:

And whereas, In the event of a war, our sea coast and lake frontier would, in their present defenceless condition, be exposed to great danger from our enemies; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the congress of the United States is respectfully, but urgently, requested to take immediate steps for the complete defence of the Delaware river, and the harbor at Erie, and such other provisions for defence as may not be inconsistent with our treaty stipulations with Great Britain, and that a depot, for the accommodation of an adequate naval force, be promptly established at Erie.

Resolved, That the governor be requested to send a copy of these resolutions to the president of the United States, and to each of our senators and representatives in congress.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 5.

RESOLUTION

Relative to the pay of Henry Huhn, a Transcribing Clerk.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and required to pay Henry Huhn, a transcribing clerk, ten days' pay, and the usual mileage, for services at the commencement of the present session.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 6.

RESOLUTION

Relative to the appointment of a Committee to consider the manner of assessing and collecting the Direct Tax levied by the United States.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the committee of finance of the senate, and the committee of ways and means of the house of representatives, be directed to appoint a sub-committee, of two each, in connection with the board of commissioners to revise the tax laws of the state, to proceed to Washington, for the purpose of consultation with the financial committee of the congress of the United States, respecting the assessment and collection of the national taxes, and the property on which it shall be levied.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 7.

JOINT RESOLUTION

Relative to the Pittsburg and Steubenville Railroad Company.

WHEREAS, This legislature has learned that an application has been made to the legislature of the state of Virginia, by the Pittsburg and Steubenville railroad company, for authority to construct a portion of their road through the territory of that commonwealth; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That regarding this enterprise as likely to prove greatly advantageous to both commonwealths, and as especially necessary, in the present state of the republic, adding another bond of friendship between two states already closely drawn together by a common interest and a common danger, and as eminently calculated to promote still closer relations between the loyal states of the Union, we do express the hope, that the assent, by the state of Virginia, will not be withheld from a measure, which, by increasing the facilities of trade and travel, cannot fail to greatly strengthen the hands of the national government, in its present struggle against the enemies of the republic, and promote the good feeling already existing between the loyal citizens of the two commonwealths.

Resolved, That the governor of this state be requested to transmit a copy of the foregoing to the governor of the state of Virginia, and also to the speakers of the respective houses of the legislature thereof.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 8.

JOINT RESOLUTION

Instructing our Senators and Representatives in Congress to procure the passage of an act relative to the payment of Volunteers.

WHEREAS, By a general order of the war department, at Washington, volunteers in the service of the United States are entitled to pay from the time of their enlistment into service :

And whereas, Some of the volunteer regiments of Pennsylvania have only received pay from the time they were mustered into the service of the United States, whilst others have received their full pay, under the order of the war department, from the time of their enlistment :

And whereas, Some of the officers have received pay from the dates of their commissions, and a large majority of them, only from the dates at which they were mustered into service :

And whereas, It is just that the officers and men should all receive pay from the time, at which they separate themselves from their business pursuits and devote themselves to the service of their country, a period involving much labor and great expense to the officers ; therefore,

Resolved, That our senators in congress are hereby instructed, and our representatives are requested, to immediately procure the passage of an act by congress, providing for the payment of volunteers from the time of their enlistment, and of officers from the time at which, by order of the governor, they were or may be hereafter placed on recruiting service ; and further, to make sufficient provision for the payment of expenses incurred in recruiting companies and regiments for the volunteer army of the United States, in all those cases where the companies or regiments have been or may be hereafter mustered into the service of the United States, and also in cases where officers, under proper authority, have raised companies or regiments, or parts of companies or regiments, of the command of which they have been deprived by military necessities beyond their control : *Provided*, Such officers shall, themselves, have entered the service of the United States in some military capacity in the line.

Resolved, That the governor be requested to furnish a copy of this resolution to each of our senators and representatives in congress.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 9.

RESOLUTIONS

Relative to the Defences of the Delaware River and Bay.

WHEREAS, New exigencies have arisen to force upon the attention of Pennsylvania the unprotected condition of the eastern coast of the state, against hostile invasion :

And whereas, The states of New Jersey and Delaware are alike interested in a system of defences along the Delaware river and bay ; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That, moved by the deepest solicitude, in view of continued delay by the United States government, we urge, upon our senators and representatives in congress, the exertion of the most strenuous and immediate efforts to secure a system of adequate defences for the Delaware river and bay.

Resolved further, That the governor of this commonwealth is requested to confer with the governors of New Jersey and Delaware, to secure the co-operation of those states in the furtherance of this important object, alike indispensable to the interests of the three states.

Resolved further, That the governor of this commonwealth is requested to transmit a copy of these resolutions to the governor of New Jersey, the governor of Delaware, and to each of our senators and representatives in congress.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 10.

JOINT RESOLUTION

Relative to the proper treatment of the killed and wounded Pennsylvania Soldiers.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor is hereby requested to take the most efficient

means to have the killed and wounded of the Pennsylvania troops cared for on the battle-fields, and the wounded speedily returned to hospitals on our own soil, in order to insure careful nursing and skillful medical treatment.

2d. That the legislature hereby pledges the executive all funds, that may be required to insure an honorable burial to the dead and skillful treatment to the living, of such troops whose lives may be imperilled on the battle fields, in defence of the Union and the constitution.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 11.

RESOLUTION

Relative to the pay of S. C. Slaymaker, as Clerk to the Committee trying the Contested Election Case in the Sixth Legislative District of Philadelphia.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and directed to pay to S. C. Slaymaker, clerk to the committee to try the contested election case of the sixth legislative district of Philadelphia, the sum of three dollars per day, for the time employed, and the usual mileage, to be certified to by the chairman of the committee.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 12.

JOINT RESOLUTION

Relative to the pay of Henry Huhn, for services as Clerk to the Committee to try the Contested Election Case from Adams county.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby required to pay Henry Huhn, for services as clerk to the contested election committee from Adams county, three dollars per day, the number of days to be certified by the chairman of the committee.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No 13.

RESOLUTION

Relative to the Defences of the Delaware River and Bay, and the Harbors thereof.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That it is the sense of the people of this state that it is due to the great national interest involved in the navigation of the Delaware, and especially due to the patriotic and loyal people, who have contributed so largely to the general defence, that no time shall be lost in providing such securities for their metropolis, and the great interests connected therewith, as shall remove all apprehension of injury from sudden invasion, by either domestic or foreign enemies.

SECTION 2. That, looking to the dangers, by which our harbor was so recently threatened, in our seaboard frontier, from the introduction of new and formidable means of maritime offence, it is the opinion of this legislature that the immediate construction of one or more iron-clad gun-boats, or such other means

of defence as may be adequate to the occasion, is an essential measure of precaution for the protection of the city of Philadelphia, and all the important region of country bordering upon the Delaware.

SECTION 3. That in case of any difficulty arising out of the possible pecuniary embarrassment of the general government, the state of Pennsylvania will lend its credit in aid thereof, for such proportion of any expenditure, which may be required for the purposes aforesaid, not exceeding one million of dollars, as would correspond with her federal members, as compared with the other states bounding upon the same national highway, and especially interested, with herself, in the protection thereof.

SECTION 4. That the governor be requested to forward a copy of these resolutions to the president of the United States, and also to the presiding officers of both branches of congress, with the request that the same may be laid before their respective bodies, and that his excellency, the governor, and the chairman of the committee on federal relations of the senate and house, respectively, be requested to proceed, in person, to the federal capital, with a view to a conference with the proper departments, and the appropriate committees of congress, in relation thereto.

JOHN ROWE,

Speaker of the House of Representatives.

G. V. LAWRENCE,

Speaker of the Senate pro tem.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 14.

JOINT RESOLUTION

Providing for the payment of expenses of the treatment of dead and wounded Pennsylvania Soldiers.

SECTION 1. *Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the expenses, which have been, or may be incurred, in carrying out the purposes mentioned in "joint resolutions," relative to the proper treatment of the killed and wounded Pennsylvania soldiers, approved February twenty-eight, one thousand eight hundred and sixty-two, shall be paid out of the proceeds of the loan created by the act approved May fifteen, one thousand eight hundred and sixty-one, entitled "An

LAWS OF PENNSYLVANIA,

Act to create a loan and provide for arming the state," on accounts settled in the usual manner by warrant of the auditor general.

JOHN ROWE,

Speaker of the House of Representatives.

G. V. LAWRENCE,

Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 15.

JOINT RESOLUTION

Relative to the pay of William R. Gardy, as Clerk to the Committee trying the Contested Election Case of H. V. Hall, from the county of Luzerne.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and required to pay William R. Gardy, clerk to the committee trying the contested election of H. V. Hall, from the county of Luzerne, three dollars per diem, and the usual mileage, to be certified to by the chairman of the committee.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 16.

RESOLUTION

Relative to the pay of L. A. Tyler, as Clerk to the Committee trying the Contested Election from the county of Luzerne.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be directed and required to pay to L. A. Tyler, clerk to the committee to try the contested election case of Walsh vs. Russell, sitting member from the county of Luzerne, the sum of three dollars per day, and the usual mileage; the number of days to be certified by the chairman of said committee.

F. M. CRANE,
Speaker of the House of Representatives pro tem.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 17.

JOINT RESOLUTION

Relative to the Claim of Samuel D. Brobst, former Supervisor upon the North Branch canal.

WHEREAS, It is alleged by an act of assembly, approved April twentieth, Anno Domini one thousand eight hundred and fifty-eight, the auditor general of Pennsylvania was authorized and required to re-settle the account of Samuel D. Brobst, former supervisor upon the North Branch canal, and the state treasurer required to pay the amount that should be found due said Brobst, on an order to be drawn by the auditor general for that purpose:

And whereas, It is alleged only a partial examination of said account has been had, and the present auditor general has doubts as to the propriety of his completing said examination and settlement, because the same has been partially acted upon by his predecessor, and not originally before himself; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That

the attorney general, auditor general and state treasurer, be and they are hereby authorized and required to examine and settle the said account, except so far as the same has been settled and paid, and pay the same, if anything shall be found due him, according to the terms of said act of April twentieth, one thousand eight hundred and fifty-eight, as fully as if the said account had come originally before said officers for settlement and payment.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 18.

RESOLUTION

To pay the expenses of constructing Ventilators in Hall of the House of Representatives, and Hot air Registers in the Rotunda.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and is hereby authorized and required to pay to A. Slentz, for carpenter and mason work, two hundred and three dollars and seventy-five cents, in full, for labor and material; and, also, to pay to Fager and Maeyer, for ventilators and registers in rotunda, two hundred and sixty-five dollars, in full, for the same, upon presentation of proper vouchers, signed by the committee.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 19.

JOINT RESOLUTION

Relative to the pay of Isaac D. M'Guire.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized to pay to Isaac D. M'Guire the sum of twenty dollars, being the amount due him for services during the present session.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 20.

JOINT RESOLUTION

Relative to furnishing necessary Clothing to wounded Pennsylvania Soldiers.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the joint resolution, approved the twenty-eighth day of February, in the year of our Lord one thousand eight hundred and sixty-two, and the twenty-seventh day of March, one thousand eight hundred and sixty-two, relative to the proper treatment of the killed and wounded Pennsylvania soldiers, be so construed as to authorize the quartermaster general to procure and furnish, upon the requisition of the surgeon general, or surgeon having charge of such wounded soldiers, all necessary clothing required of them.

JOHN ROWE,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 21.

JOINT RESOLUTION

In relation to the Bank of Commerce.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor be requested to direct the attorney general to institute immediate measures, for the recovery of the money due the commonwealth from the Bank of Commerce, at Erie, and also to take such measures, touching the prosecution now pending in the court of quarter sessions of Erie county, against the officers of said bank, who have been presented by the grand jury of said county for fraud and embezzlement, as the nature of the case may require.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 22.

JOINT RESOLUTION

Relative to Revising the Revenue Laws of this Commonwealth.

SECTION 1. *Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor of this commonwealth be and he is hereby authorized and required to appoint three competent citizens of this commonwealth, as commissioners, to revise, collate and digest all acts and statutes relating to or touching the revenue laws of the commonwealth; and it shall be the duty of the said commissioners to prepare a revised revenue code, which shall provide fully for the assessment and collection of the revenues of the commonwealth; and said commissioners shall designate the property, real, personal and mixed, which shall be subject to taxation; and it shall be the further duty of said commissioners to designate, specifically, such of the existing laws of this commonwealth, in any way relating to taxation and revenue, as in their opinion should be repealed.*

Resolved, That the said commissioners shall cause their report to be printed, at the cost of the state, on or before the first day of December next, and report the result of their labors, to the legislature, on or before the third Tuesday of January, in the year of our Lord one thousand eight hundred and sixty-three.

Resolved, That the said commissioners shall each receive, for their services, the sum of one thousand dollars, in full for compensation for the duties hereby imposed.

JOHN ROWE,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

No. 23.

RESOLUTION

Relative to bill, entitled "An Act to incorporate the Union Express Company."

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor and secretary of the commonwealth be requested to refuse a certified copy of the bill, entitled "An Act to incorporate the Union express company," being number 764, of the house of representatives file, the same never having passed the senate, and having been improperly presented to the governor, and that said act be and the same is hereby repealed.

JOHN ROWE,

Speaker of the House of Representatives.

G. V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-two.

A. G. CURTIN.

APPENDIX—1860.

No. 520.

A N A C T

To incorporate the Union Railroad Company.

Commissioners.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Samuel Goodwin, Joel B. Curtis, George Boice, David Garber, John Furgeson, James E. Day, Charles W. Ricketson, Thomas J. Power, William H. Williams, James Pierce, John Love, M. C. Trout, E. C. Dorsey, Daniel Groscost, F. Rahm, N. P. Sawyer, William Robinson, Jr., George Willson, Ezekiel Sankey, Phineas Dunham and William H. Smith, or a majority of them, are hereby appointed commissioners to open books, receive subscription, and organize a company, by the name, style and title of the Union railroad company, with all the powers prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.</p>
Title.	
Capital stock.	<p>SECTION 2. That the capital stock of said company shall consist of two hundred shares, of fifty dollars each: <i>Provided however,</i> That the said company may, from time to time, by a vote of the stockholders, at a meeting for that purpose called, increase the capital stock to twenty thousand shares; that the said company shall have the right to construct any part of the unfinished portion of the Pittsburgh and Erie railroad, south of the Mercer and Crawford county line, that may be agreed upon by the said companies, with single or double track, the necessary turnouts, and other fixtures, to form a complete first class railroad: <i>Provided,</i> The same shall be completed within five years; and all claims, for right of way or damages, shall be settled in the manner and form, now prescribed for the settlement of such claims by the charter and supplements of the Pittsburgh and Erie railroad company.</p>
Proviso.	
Authorized to construct certain unfinished part of the Pittsburgh and Erie road.	
Proviso.	
Damages, relative to.	
May borrow money and issue bonds.	<p>SECTION 3. That the said company is hereby authorized to borrow any sum of money, not exceeding two millions of dollars, at any rate of interest not exceeding seven per centum per annum, and to issue bonds therefor, in sums of not less than one hundred dollars, with coupons attached, for the payment of the interest, and to issue a mortgage to secure the payment thereof; and the said company shall have power to make run-</p>
Mortgage.	

ning arrangements with any connecting road or roads, or to lease Connections, &c. their road to the same, as may best suit the parties interested.

SECTION 4. That the Pittsburg and Erie railroad company Transfer of por- are hereby authorized to transfer to the Union railroad com- tion of Pittsburg pany, all their rights to and over such portion of the road as and Erie railroad may be constructed by the said Union railroad company. authorised.

SECTION 5. That the board of directors of this company shall Board of direc- consist of five members, one of whom shall be elected president tors. by said board.

JOHN M. THOMPSON,
Speaker of the House of Representatives pro tem.

WM. M. FRANCIS,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

APPENDIX—1861.

No. 521.

AN ACT

To extend the Charter of the Short Mountain Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Short Mountain coal company is hereby extended for the term of eleven years, after the expiration of the present charter, with all the powers and privileges which said company now enjoys under the existing charter.*

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 522.

AN ACT

To incorporate the Farmers' Mutual Fire Insurance Company of Monroes county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Moses W. Coolbaugh, Jacob Long, Charles J. Miller, John Miller, Phillip Kresge, Felix Storm, Enoch V. Buskirk, Charles Frantz, Joseph Fable, Joseph Trach, Joseph Krimmer, Jr., James Place, George Labor, Michael Shoemaker, are hereby appointed*

commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name, style and title of the Farmers' Mutual insurance company of Monroe county; to be located in said county; to be organized and managed according to the provisions of an act, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class, in the seventh section of said act, and shall transact business upon the mutual principle exclusively.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 523.

AN ACT

To incorporate the Lathrop and Wilson Sewing Machine Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That Lebbeus W. Lathrop, Clement A. Wilson, William F. Johnson, John M'Dowell, Jr., William H. Myers, Cornelius J. Wilson, and such persons as shall be associated with them, and their successors, be and they are hereby incorporated and erected into a body politic and corporate, in fact and in law, by the name, style and title of the Lathrop and Wilson Sewing Machine manufacturing company, and by that name shall have perpetual succession, and be capable, in law, of holding and conveying such personal property, and using and occupying such real estate, as may be necessary for the objects of the company, may sue and be sued, plead and be impleaded, in all the courts of law and equity in this commonwealth, may have a common seal, which they may alter and renew at pleasure, may receive, execute and deliver all such contracts, and instruments of writing generally, as may be necessary, and do such other acts and things as may be essential to assist, promote and carry out the objects and designs of the company, namely, the manufacture and sale of sewing machines, and parts thereof, and to sell rights and licenses for the same.

Interest in certain letters patent part of common stock.

Capital stock.

Votes.

Directors.

Officers, agents, &c.

Vacancies.

Meeting of stockholders.

Notices.

Election of directors.

By-laws.

Individual liability.

Proviso.

Bonus to state.

SECTION 2. That the interest, which the parties hereto hold in certain letters patent, granted by the United States to Lathrop and Wilson, for making sewing machines, shall form part of the common stock; that the capital stock of said company shall be one hundred thousand dollars, and be divided into four thousand shares, of twenty-five dollars each; each share, at the elections of the said company, to be entitled to one vote.

SECTION 3. That the affairs of said company shall be managed by a board of nine directors, who shall be elected by and from the stockholders, who shall, at the first meeting ensuing their election, choose from their number, by ballot, one person to serve as president, one to serve as treasurer, and one to serve as secretary, and an executive committee of three persons, also of their number, which committee shall have power to appoint and employ such agents, officers, clerks and workmen, as may be necessary for the purposes of said corporation; and the said board shall have power to fill their own vacancies.

SECTION 4. That the stockholders shall meet as soon as practicable after the passage of this act, notice of the time and place of meeting having first been given, by advertisement, in one newspaper published in the city of Philadelphia, and annually, thereafter, at such time and place as shall be fixed upon, and shall then and there proceed to elect, by ballot, the said board of directors, who shall hold their offices for the term of one year, and until others are chosen in their places; and that the said stockholders shall have power to make by-laws for their own regulation, not repugnant to this act, or the constitution and laws of this state and of the United States.

SECTION 5. That the stockholders of said company shall be jointly and severally liable, in their individual capacities and estates, for all the debts due to mechanics, workmen and laborers employed by said company, to be sued for and collected as is prescribed by the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna iron and coal company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That the said liability shall, in no case, extend further than to the amount of stock for which they have respectively subscribed.

SECTION 6. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may hereafter, be imposed, by law, on corporations.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

ROBT. M. PALMER,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 524.

A N A C T

To incorporate the North-Eastern Market Company of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward Newman, Oliver P. Parker, W. H. Ridgway, John A. Bast, H. Rowen, G. W. Branson and their associates, who may become stockholders in the company hereby incorporated, be and they are hereby constituted a body politic and corporate, by the name, style and title of the North-Eastern market company of the city of Philadelphia, and as such shall have power to purchase and hold real estate, and to erect thereon buildings and improvements, properly constructed and adapted for a market, together with wharves, docks and landings of sufficient size and capacity to accommodate the fish and oystermen, and wholesale dealers in produce, arriving at the market by way of the river Delaware: *Provided*, That such real estate shall be purchased, and such market house erected, fronting on the Delaware avenue. and south of Columbia avenue and north of High or Market street, in said city: *Provided also*, That said company shall hold no other real estate, nor erect any other market house in said city, excepting the one on the said Delaware avenue.

Corporators.

Name.

Authorized to purchase real estate, erect buildings, wharves, &c.

Location.

Proviso.

SECTION 2. That the capital stock of said company shall consist of four thousand shares, of one hundred dollars each, with the privilege of increasing the same to five thousand shares.

Capital stock.

SECTION 3. That the said company shall have power, and it is hereby authorized, to borrow any sum or sums of money, not exceeding three hundred thousand dollars, for the purpose of said corporation, and, in order to secure the payment of the same, shall issue their bonds therefor, of not less than one thousand dollars each, bearing interest at seven per cent. per annum, payable semi-annually, with coupon certificates attached, to be secured by mortgage of all or any part of the said real estate, together with the corporate rights and franchises granted by this act, and to annex to the said mortgage the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders.

May borrow money and issue bonds therefor.

Interest.

Mortgage.

SECTION 4. That the parties hereinbefore mentioned, or a majority of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof, and after five hundred shares shall have been subscribed, by not less than twenty persons, and at least five per centum paid in on said subscription, they shall provide, by advertisement, in two or more papers published in said city, for the election of a board of five directors, who shall serve until the first Tuesday of November next, and until their successors be duly elected; and annually

Organisation.

Election of directors.

	thereafter, on the first Tuesday of November, the stockholders shall elect a similar board of directors, to serve, in like manner, for one year, and until their successors shall be duly elected; and if, for any reason, any of said elections shall not be held at the time appointed, another time shall be appointed, according to the by-laws of said company, for said purpose, not more than two months later than said date; and the said directors shall supply vacancies in their board, by death, resignation or otherwise, until the next annual election; but no person shall be elected a director, who shall not be, at the time, a stockholder in said company.
Vacancies.	
Officers.	SECTION 5. That the said directors shall have power to elect a president, treasurer and such other officers, being citizens of Pennsylvania, as may be deemed necessary and expedient, and in every election for directors each stockholder shall be entitled to one vote for each share of stock; but no stockholder, whether original subscribers or assignees, shall be entitled to vote at any election or meeting of said company, unless the whole sum, due and payable on the share or shares by him or her held at that time, shall have been fully paid and discharged.
Votes.	
Seal.	SECTION 6. That the said company shall have power to make and have a common seal, the same to alter and renew at pleasure, and also to establish and execute such by-laws and regulations as shall appear to be necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this state, and generally to do and perform, all and singular, the matters and things which, to them, it shall lawfully appertain to do for the well-being of said corporation and the proper management of the affairs thereof: <i>Provided</i> , They shall not, by any rule or regulation, prevent the farmers, who rent stalls in said market house, from disposing of the produce of their farms, in such quantities, and upon such terms as said farmers may think proper; and the farmers of the state of Pennsylvania shall enjoy all the rights and privileges, in said market house, that may be granted to the citizens of Philadelphia, or elsewhere: <i>Provided further</i> , That said company, before the renting of any stalls in said market house, and yearly thereafter, before said renting, shall, by ten or more printed hand-bills, put up in the most conspicuous places in said market house, ten days before the time of renting, give notice of the time when said stalls will be rented; which said renting shall take place in said market house: <i>And provided further</i> , That upon application being made at the time of letting said stalls, the farmers of the state of Pennsylvania shall, to rent fifty per centum of the stalls in said market: <i>Provided further</i> , That no farmer shall be entitled to rent more than three stalls in said market, unless all the stalls shall not be applied for, at the time of letting.
By-laws.	
Sales in market house, relative to	
Notice of the renting of stalls to be given.	
Proviso.	
Proviso.	
When dividends may be declared.	SECTION 7. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July, in each and every year, and to be paid at the office of said company, at any time after ten days from the time of declaring the same; but said dividend shall, in no case, exceed the amount of the net profits of said company, so that the capital stock thereof shall not be

impaired thereby; and if said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto shall be liable, in their individual capacities, to said company, for the excess so divided; and each director present, when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter their protest upon the minutes of the board, and give public notice of the same.

Directors individually liable for excess of dividends, &c.

SECTION 8. The said company shall have power, and is hereby authorized to issue certificates of stock, at par, in liquidation of the whole or any part of the mortgage debts on the estate or property of said company: *Provided*, That such issue of stock, together with the original shares taken and subscribed from time to time by the stockholders, shall, at no time, and in no event, exceed the five thousand shares authorized under the second section of this act of incorporation.

May issue certificates of stock.

Purpose of. Proviso.

SECTION 9. That the privileges hereby granted shall continue for the period of thirty years, and no longer, unless extended or renewed by the legislature.

Limitation.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 525.

A SUPPLEMENT

To the act incorporating the Richmond and Schuylkill Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the par value of the shares of the Richmond and Schuylkill Passenger railway company be reduced to twenty dollars per share, and the number of shares shall be and is hereby increased to five thousand shares, of the par value of twenty dollars each, instead of two thousand shares, at fifty dollars, as heretofore.

Par value of shares reduced

Number of shares increased.

SECTION 2. That it shall be lawful for said railway company to lay a second track on South College avenue, from Corinthian avenue to West College avenue, and lay a return track on

Authorized to lay a second track.

Twenty-ninth street, from Girard avenue to Poplar street, and along Poplar street to West College avenue, as aforesaid.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 526.

A SUPPLEMENT

To an act incorporating the Pittsburg, Allegheny and Manchester Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pittsburg, Allegheny and Manchester Passenger railway company be and they are hereby authorized and empowered to construct or extend their railway, by single or double track, from Federal street, along Leacock street, to Bank lane, in the city of Allegheny, and from the intersection of Federal and Ohio streets, in said city, along Ohio street, to Duquesne borough, and also from Ohio street to Spring Garden, in Reserve township.*

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

We do hereby certify, that the bill, entitled "A supplement to an act incorporating the Pittsburg, Allegheny and Manchester Passenger railroad company," was presented to the governor on the eighteenth day of April, A. D. one thousand eight hundred and sixty-one, and was not returned within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

E. H. RAUCH,
Clerk of the House of Representatives.

RUSSELL ERRETT,
Clerk of the Senate.

HARRISBURG, May 16, 1861.

No. 527.

AN ACT

To enable the Shamokin Valley and Pottsville Railroad Company to erect a Telegraph on the line of their road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said the Shamokin Valley and Pottsville railroad company be and they are hereby authorized to erect and maintain a telegraph, for the use of said company, upon the line of their road, as well that, now owned by them, as any extension thereof, to be acquired hereafter, by purchase or otherwise; and may, also, by means thereof, receive and transmit messages, to be sent by other persons desiring to use the same, upon such terms and conditions, and for such compensation, as said company may, from time to time, ordain.*

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 528.

AN ACT

Relating to the Altoona Fairview Cemetery Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the acts and resolutions of the Altoona Fairview cemetery association, constituting, as stockholders, those members only, who have paid the assessments made and required for the payment of the purchase money of the land, together with other current and necessary expenses of the said cemetery association, be and the same are hereby legalized, and declared to be valid,*

and of full force, and that said cemetery grounds shall be exempt from taxation.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 529.

SUPPLEMENT

To an act to incorporate the Wilkesbarre and Kingston Passenger Railway Company.

Authorized to
run omnibus
lines.

Construction of
certain proviso.

Extension of
time.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall have authority to own and run omnibus lines, in connection with said railway; and the proviso to the first section of the supplement to said act, approved on the twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty, is hereby declared to extend only to so much of said public road as may be occupied by said railway company.

SECTION 2. That the time, for the commencement and completion of said railway, is hereby extended for the further period of three years.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 530.

A SUPPLEMENT

To the act incorporating the Phillipsburg and Waterford Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the words, "one thousand eight hundred and fifty-nine," in the fourth section of the act, entitled "An Act incorporating the Phillipsburg and Waterford railroad company," passed the second day of April, Anno Domini one thousand eight hundred and sixty, shall read "one thousand eight hundred and forty-nine." Certain section in act of incorporation amended.

SECTION 2. That the corporate name and style of said company is hereby changed to the Western Central railroad company, and by that name shall hereafter in law be known. Name changed.

SECTION 3. That the said company shall commence and prosecute said road, within seven years from this date. When to commence road.

SECTION 4. That said company is hereby authorized to make and construct a branch road, from the point on said road most eligible, to intersect the Sunbury and Erie railroad, at or near the mouth of the Sinnemahoning creek, and in doing so, to have all the powers and privileges contained in their original charter. Authorized to construct a branch road.

SECTION 5. That the Western Central railroad company are hereby authorized to borrow any sum of money, not exceeding three and a half millions of dollars, at a rate of interest not exceeding seven per centum, payable at such times as may be agreed upon, not exceeding twenty-five years, and to mortgage the said road, or any part of the same, with all of the corporate franchises, for the better securing of the same: *Provided*, That no bonds shall be issued for a less sum than five hundred dollars; the said mortgage to be executed in the name of trustees, and to be, by them, held in trust, and for the security of such persons, parties or bodies corporate, as may become the owners or holders of the bonds intended to be secured thereby. Authorized to borrow money.
Mortgage.
Proviso.

SECTION 6. That said company are hereby authorized to elect a vice president and to fix upon his salary. Vice president.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 531.

AN ACT

To incorporate the Ohio and Mississippi Steam Packet Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Commissioners.** Melchior W. Beltzhoover, Adam Jacobs, Charles W. Batchelor, Samuel C. Young, Robert D. Cochran, C. L. Breman, Hugh Campbell, Samuel B. French, W. W. Martin and Andrew Miller, be and they hereby are appointed commissioners to receive subscriptions to, and organize a company, at Pittsburg, in the county of Allegheny, under the name, style and title of the Ohio and Mississippi steam packet company.
- Style.**
- Objects and powers.** **SECTION 2.** That the corporation hereby erected shall have power to build, purchase and equip, furnish, establish and run a line or lines of steam packet boats, or other steamboats, or other vessels, for the purpose of carrying and transporting passengers and freight to and from the city of Pittsburg, in the county of Allegheny, to and from any and all points or places accessible by, and available to, such vessels of, belonging to, or in the use or employment of, said company.
- Privileges.** **SECTION 3.** That the stockholders and subscribers of the aforesaid company, with their successors, shall be and the same hereby are created a body corporate and politic, in law, with perpetual succession, under the name and style, as aforesaid, of the Ohio and Mississippi steam packet company, and by that name shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, in all courts and places, and in all manner and matters whatsoever, with full power and authority to hold, possess, use, occupy and
- Real estate, &c.** enjoy all such real or other estate, as shall be convenient or necessary for the transaction of business, or which may be conveyed to said company for security or payment of any debt that may become due, and owing to the same, or in satisfaction of any judgment, in a court of law, or any order or decree of any court of equity, in their favor, and the same real estate to sell, convey or dispose of; and said company or corporation
- Seal.** may have and use a common seal, and the same may change, break, alter or renew, at pleasure, and also may make, ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall be necessary for the government of said company, and for the prudent, proper and efficient management of its affairs: *Provided always,* That the same be not contrary to the constitution and laws of this state, or of the United States.
- By-laws.**
- Proviso.**
- Capital stock.** **SECTION 4.** That the capital stock of said company shall be two hundred thousand dollars, with the privilege of increasing the same to four hundred thousand dollars, by a vote of a majority of the stockholders, at a meeting to be called for that purpose, to be divided into shares of five hundred dollars each;

and that the said commissioners, if they shall see proper, shall have power to organize the said company when, and as soon as, stock to the amount of twenty-five thousand dollars shall have been subscribed. When company may be organized.

SECTION 5. That the said commissioners hereinbefore named, or any seven of them, are hereby authorized, after giving five days' public notice of the same, in any two daily newspapers published in the city of Pittsburg, to open books, at the Monongahela house, in the said city of Pittsburg, and receive subscriptions to the capital stock of said company, at such time and in such manner as they may designate, and the same to keep open, from day to day, Sundays excepted, between the hours of ten o'clock, A. M., and three o'clock, P. M., of each day, until stock to the amount of twenty-five thousand dollars, at least, shall have been subscribed. Subscriptions to capital stock.

SECTION 6. That the board of directors shall be five in number, who shall be chosen by ballot of the stockholders, at the regular annual election, which shall be held on the first Monday of August, in each and every year, commencing at ten o'clock of said day; and each share of said stock shall be entitled to one vote; and the aforesaid commissioners shall constitute the board of directors, and exercise the control and management of the affairs of said company, until the first annual election next ensuing, after the organization of said company. Election of directors.

SECTION 7. That the officers of said company shall consist of a president, vice president, secretary, and such other officer or officers as the board of directors may deem necessary, and that all such officers shall be chosen and selected by individual vote of the board of directors. Votes. Commissioners to constitute board until election.

SECTION 8. That one-tenth part of the amount subscribed shall be paid in, by each subscriber, at the time the subscription shall be made, and in case the same is not so paid, the commissioners shall have the power to declare the said subscription void, and any and all moneys, paid by the subscriber, forfeited to the benefit of, and to go into the treasury of, the said company. Subscriptions, how payable.

SECTION 9. That if any subscriber or stockholder shall neglect or refuse to pay any instalment of the stock, when called for by the board of directors, they may, after thirty days' public notice thereof, sell at auction so much of the property pledged or given in security for the payment of said stock, or so many of the shares of such delinquent stockholder, as shall be necessary to pay such instalment or instalments, and the expense of sale and transfer, or convey the same, by deeds or otherwise, to the purchaser, or they may recover the same, by suit, in their corporate name, against such delinquent, without delay or stay of execution: *Provided*, That if any shares of the capital stock shall be sold, in manner aforesaid, the purchaser, before any assignment thereof, shall pay, or cause to be paid, in manner aforesaid, any balance which shall be due thereon. Neglect or refusal of stockholders to pay instalments, relative to.

SECTION 10. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such taxes on dividends, as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, Bonus to state. Individual liability.

workmen and laborers employed by said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 532.

AN ACT

To incorporate the Powelton Coal and Iron Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Francis Jordan, Samuel J. Reeves, Thomas Biddle, Robert Hare Powell, Charles D. Brodhead and Wilfred H. Harned, their associates and successors, be and they are hereby created a body politic and corporate, by the name, style and title of the Powelton coal and iron company, by which name said corporators, and their successors, shall have perpetual succession, and enjoy all the privileges and franchises incident to a corporation.
Name.	
Privileges.	
Capital stock.	SECTION 2. That the capital stock of said company shall be two hundred thousand dollars, divided into shares of one hundred dollars each, with the privilege to increase the same, from time to time, to an amount not exceeding five hundred thousand dollars; said increase, and all transfers of stock, to be made at such times, and in such manner, as the by-laws of said company may prescribe.
Transfers.	
Subscriptions to capital stock, how to be paid.	SECTION 3. That subscriptions to the capital stock of said company may be paid in real or personal estate, appropriate to the business contemplated by this act, at a <i>bona fide</i> cash valuation, to be agreed upon by a majority, in interest, of the stockholders; and the said corporation may issue bonds, secured by mortgage or otherwise, and sell the same at their market value, notwithstanding it may be less than par; but no bond shall be issued for a less amount than one hundred dollars.
May issue bonds.	
Authorized to hold lands and mineral rights.	SECTION 4. That said corporation shall be able and capable, in law, to take, receive and hold, in fee simple, or for any less estate, lands and mineral rights, with their appurtenances, in

Huntingdon and Bedford counties, not exceeding, in the whole, five thousand acres, at any one time, with power to mortgage, sell, lease, or otherwise dispose of the same, or any part thereof; and the said company shall have the right to prove and open mines, to mine and prepare, for market, coal, iron ore, limestone, fire clay, and other minerals, or to use and consume the same, and to manufacture iron, and to transport said articles, or any of them, to market, and dispose of the same, and to do all such other acts and things as may be necessary, in the prosecution of said business, and also to make all such improvements and erections, as a successful prosecution of said business may require.

Business and powers of corporation.

SECTION 5. That it shall be lawful for said company to construct and operate a railroad, or railroads, with branches, from any part of their lands, to connect with the Huntingdon and Broad Top railroad, or its branches, or with any other railroad, now or hereafter to be built: *Provided*, That in the construction of the same, the said company shall have all the powers and privileges, and be subject to all the limitations and restrictions, of an act regulating railroad companies, approved nineteenth February, one thousand eight hundred and forty-nine, and the supplements thereto.

May construct railroads with branches.

Subject to.

SECTION 6. That any incorporated bank, railroad, coal or iron company, shall have power to subscribe to the capital stock, or to purchase the bonds, of said company; and such subscriber shall be represented, at the elections of said company, by such person or persons as may be designated by the governing power of such subscribing corporation.

Other companies may subscribe to capital stock or purchase bonds.

SECTION 7. That the affairs of said company shall be managed and conducted by a board of five directors, one of whom shall be president; they shall be elected by ballot, within one year from the passage of this act, and annually thereafter, at such times and places, as the by-laws may prescribe; and if, for any cause, the election of directors shall not take place at the time fixed, it shall be lawful to elect the same at any other time, after two weeks' public notice; and in the meantime, and until their successors are duly qualified, the acting directors shall exercise their powers; and in all elections by the stockholders, each share of stock shall entitle the holder to one vote, in person or by proxy.

Election of directors.

Notice.

Votes.

SECTION 8. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may hereafter, be imposed, by law, on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years.

Bonus to state.

Individual liability.

Limitation.

- By-laws.** SECTION 9. That said company shall have authority to enact and establish by-laws, prescribing the number and duties of its officers, the manner of filling vacancies in the board of directors, the amount and times of declaring dividends, and all other needful rules and regulations, not inconsistent with the constitution and laws of this state or of the United States; that the corporation shall have the authority to hold and use a common seal, and the same to change, alter and amend, at pleasure, and by the style and title aforesaid, shall be capable, in law, to sue and be sued, before any court in this commonwealth.
- Dividends.**
- Seal.**
- When this act to take effect.** SECTION 10. That this act shall not go into effect, until not less than six hundred shares of capital stock shall have been subscribed, and at least fifty per cent. thereof paid in, of which a statement, containing the names of the subscribers, and the amounts subscribed and paid by each, shall be certified by a majority of the corporators herein named, to the governor, who shall, thereupon, issue letters patent to said corporators, or the survivors of them.
- Letters patent.**

JOHN J. PATTERSON,
Speaker of the House of Representatives pro tem.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 533.

A FURTHER SUPPLEMENT

To an act incorporating the Bedford Iron Company.

- Name changed.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Bedford iron company shall hereafter be known by the name of the "Coalmont iron and coal company."
- Authorized to attach coupons to bonds and secure by mortgage.** SECTION 2. That the said Coalmont iron and coal company shall have authority to attach coupons to the bonds, which they are authorized to issue, by their act of incorporation, and to secure the same by mortgage.
- Who eligible as president or director.** SECTION 3. That any citizen of the United States shall be eligible to serve as president or director of said company, and that the office of the company may be held in the counties of Bedford and Huntingdon, and in the cities of Philadelphia and New York.
- Office.**

SECTION 4. That the capital of the company may be employed in mining, developing, manufacturing, transporting and selling any and all of the minerals in, on and under the lands of said company: *Provided*, That the organization of said company is hereby declared valid, notwithstanding any irregularity or informality in the notices given for the organization of the company, or for the election of directors.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 534.

AN ACT

To incorporate the Union Mutual Insurance Company of Westmoreland county.

WHEREAS, It is proper that citizens should associate for the protection of their property against fire; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Arret, Joseph Lenhart, Samuel Allshouse, Michael Frichman, Peter Lenhart, David Snyder, George Smith, Joseph Chadwick, Peter Wangaman, Josiah Brinker, Simon Detar, Joseph Miller, Jacob Gongaware, David Anderson, Jacob Kemmerer, W. D. Kuhns, John Barelin, Henry Lauffer, Solomon Kuappenbarger, James Jameson, and all other persons, who may associate with them, according to the provisions and regulations hereinafter set forth, shall be and are hereby constituted a body corporate and politic, by the name of the Union mutual insurance company, of Westmoreland county, which shall have perpetual succession, with power and authority to make contracts of insurance with any person or persons, who may be, or shall become members thereof, or any body politic or corporate, against any loss or damage by fire, according to the terms and conditions hereafter prescribed, and by-laws not inconsistent therewith, nor inconsistent with the constitution of Pennsylvania.

SECTION 2. That the said association shall not insure property for a longer period than five years, at any one time; before any property shall be insured, it shall be examined by a mem-

- ber or members of the association, to be appointed annually for that purpose, as the by-laws may direct.
- Membership, terms of.** SECTION 3. That whenever a party wishes to become members of this association, they must sign the by-laws, and give a premium note on the application of insurance, to be deposited with this company.
- Election of managers.** SECTION 4. That there shall be six managers elected for this company, and they shall be elected on the first Saturday of January of each year, and they shall be elected on the same plan of the school board of this state; three members of the association shall be chosen to act as president, treasurer and secretary, who shall be elected annually.
- Officers.**
- Assessments for losses, how to be made, &c.** SECTION 5. That whenever there is a loss by fire of any insured property, and the secretary is apprised of the fact, he at once must call a meeting of the managers, and there must be a committee appointed to repair to the burnt buildings, and make a careful investigation of the premises, make out a report to the board of managers, whose duty it shall be to make out an assessment on each member to cover said loss.
- Annual report to be published.** SECTION 6. That the secretary shall make out an annual report of the company, and the same shall be published in one or more of the newspapers of counties where insurance may exist.

J. H. SELTZER.

Speaker of the House of Representatives pro tem.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 535.

AN ACT

To incorporate the Columbia Oil Company.

- Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Richey, Nicholas Voegtley, William A. Read, John M. Porter, Thomas Hoge, John Noble, Samuel H. Smith, or their successors and assigns, are hereby created a body politic and corporate, under the name, style and title of the Columbia oil company, which company shall have power to take and hold
- Title.** lands and real estate, in the counties of Venango and Allegheny,
- Objects and powers.**

not exceeding, in quantity, at any one time, five hundred acres, and to bore for oil, salt, mine, prepare for market, sell and dispose of any cannel and bituminous coal, iron ores and other minerals or products of their lands, and to manufacture lubricating and illuminating oils, iron or other products of their minerals or lands, and to convey the same to market, and to grant leases of said lands, or any portions thereof.

SECTION 2. That the capital stock of said company shall be two hundred thousand dollars, divided into ten thousand shares of twenty dollars each; and the said company is hereby declared and made capable, in law, to sue and be sued, implead and be impleaded, to have a common seal, and the same to alter at pleasure, to sell and convey their real estate, and to purchase, hold and sell such personal property as may be necessary to promote the objects of the corporation.

Capital stock.

Seal.

May sell real and personal property.

SECTION 3. That the affairs of said company shall be managed by a board of not less than five, nor more than nine directors, one of whom shall be the president, who shall be designated by the stockholders; the first election shall be held within sixty days after this charter shall take effect, of which election public notice shall be given, at least two weeks, in one newspaper published in the city of Pittsburg, and subsequent elections at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock, on which all required instalments shall be paid, shall entitle the holder thereof to one vote, either in person or by proxy: *Provided*, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly chosen, and in case of resignation or death of the president, or any director, the remaining directors shall elect a person to serve until their successors are duly chosen.

Election of directors.

Notice of.

Votes.

Provide.

Vacancies.

SECTION 4. That the stock of said company shall be transferable, agreeably to the by-laws which may be adopted by the directors, and that dividends may be declared and paid whenever the directors deem it advisable; but said dividends shall, in no case, exceed the amount of the actual net profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacities, for the excess so divided and paid; and the said company shall pay, into the state treasury, a bonus of two and one-half per cent. on the capital stock hereby authorized, in three equal annual instalments, in lieu of any and all taxes upon dividends, the first of which instalments shall be paid within one year from the date of the issue of letters patent herein provided for.

Transfer.

Dividends.

Bonus to state.

When first instalment to be paid.

SECTION 5. That this act shall not take full effect until one thousand shares shall have been subscribed for, and at least one-half of that amount have been actually paid for, in cash, of which a statement, containing the names of the subscribers, and the amount subscribed for by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent, the said corporators, under the name, style and title aforesaid.

When this act to take effect.

Letters patent.

May issue bonds secured by mortgage. SECTION 6. The said corporation may issue bonds, bearing a rate of interest not exceeding ten per centum per annum, with or without a clause making them convertible into the stock of the company, at the option of the holder, and with power to sell the said bonds, at their market value, notwithstanding said market value may be less than par, and which bonds may be secured by mortgages of the property and franchises of the company; but no bond shall be issued for a less sum than one hundred dollars.

Individual Liability. SECTION 7. That the stockholders of said company shall be individually liable, jointly and severally, for debts due to mechanics, workmen and laborers employed by said company, and for country produce and materials furnished for said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debt, unless the same be sued for within six months after the same shall become due and payable.

Reservation. SECTION 8. That the legislature hereby reserves the right to alter, amend and repeal this charter, at any time; in such manner, however, as that no injustice shall be done to the stockholders; and this charter shall extend for a period of twenty years.

Limitation.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 536.

A FURTHER SUPPLEMENT

To an act incorporating the Erie and Pittsburg Railroad Company, approved April the first, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for completing the Erie and Pittsburg railroad, as provided in the second section of the act incorporating said company, passed the first day of April, one thousand eight hundred and fifty-eight, is hereby extended for the period of five years,*

from and after the expiration of the time provided for in said section.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 537.

AN ACT

To change the name of the Fellowship Fire Engine Company of Germantown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Fellowship fire engine company of the borough of Germantown, Twenty-second ward, city of Philadelphia, be and is hereby authorized to change their corporate name, and shall henceforth be known and called by the name, style and title of "Fellowship steam fire engine company of Germantown," and by that name shall be able and capable, in law, to exercise all the rights, privileges and immunities guarantied to them in their acts of incorporation, approved the fifth day of February, A. D. one thousand eight hundred and forty-nine, and the twenty-ninth day of March, A. D. one thousand eight hundred and fifty, as they could have done by their former name, if no change had been made.*

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 538.

A N A C T

To authorize Joseph Webster to convey certain Real Estate.

WHEREAS, Lowry Green, of Great Bend, in the county of Susquehanna, on the twenty-ninth day of March, one thousand eight hundred and fifty-three, contracted to sell a certain lot of land, situate at said Great Bend, as is hereinafter described, to one H. S. Montgomery, for the sum of five hundred dollars :

And whereas, By various assignments, on said contract, it came into the possession of John D. M'Kinney, who, as owner of it, went into possession of said lot, on which valuable improvements had been made, subsequent to the purchase of it from the said Lowry Green :

And whereas, All the purchase money had been paid, excepting two hundred dollars, which was still owing to the said Lowry Green :

And whereas, The said John D. M'Kinney was desirous to have the same paid, and a deed taken therefor, and not being able then to pay said amount, made an arrangement with John Holmes, father to Rebecca, the wife of said John D. M'Kinney, that he should pay said balance to Lowry Green, and take the deed in his own name, and hold it till he should be reimbursed the amount so paid by him ; and in case he should not be so reimbursed, by the said John D. M'Kinney, it was agreed that the said John Holmes should make his will, and devise the same to the said Rebecca, and her heirs, and that said two hundred dollars should be deducted from her share in her father's estate, on its settlement ; that, relying upon said arrangement and agreement, and for the purpose of carrying out the same, the said John D. M'Kinney assigned and transferred the contract to the said John Holmes, still retaining the possession of said lot, and living upon it ; that said John Holmes paid said two hundred dollars and took said deed, and died not long after, without making any will, or other provisions for carrying out said arrangement :

And whereas, It would be inequitable and unjust that the said John D. M'Kinney, and Rebecca, his wife, should lose their interest in said lot, and the house and other improvements that have been made thereon ; and as doubts are entertained whether the orphans' court have any jurisdiction in the premises, and as it is desirable that the title of said lot should be vested in said Rebecca M'Kinney, and her heirs, in pursuance of said arrangement ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Joseph Webster, administrator of John Holmes, late of Liberty township, in the county of Susquehanna, deceased, be and is hereby authorized and empowered, under the authority and

direction of the orphans' court of Susquehanna county, first to be had and obtained, to convey, by a good and sufficient deed in law, in fee simple, to Rebecca M'Kinney, wife of John D. M'Kinney, of Great Bend township, in said county, in fee simple, all that certain lot of land, situate in the village of Great Bend, in said county, and bounded as follows, to wit: Beginning at a point on the northerly line of Great Bend and Cochocton turnpike, seventy-five feet westwardly from the corner of Amos Sawd's lot; thence south fifteen degrees west about one hundred and seventy-two feet, to the south-easterly line of F. Churchill's lot; thence north sixty-three degrees east along said Churchill's lot about one hundred and eighteen feet, to the said turnpike; thence along said turnpike about one hundred and thirty feet, to the place of beginning, being the same piece of land that Lowry Green and wife conveyed to John Holmes, by deed dated April twentieth; one thousand eight hundred and fifty-eight, and now is in possession of the said John D. M'Kinney: *Provided*, That the said Joseph Webster shall not make said conveyance till he shall have given bonds, with security, to be approved by the orphans' court of Susquehanna county, or one of the judges thereof, for the faithful application of two hundred dollars, for the benefit of the estate of the said John Holmes, deceased, being the amount to be paid to the said Joseph Webster, before making said deed: *Provided also*, That the rights of creditors shall in no way be affected thereby.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

ROBT. M. PALMER,

Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 539.

A N A C T

To authorize the Corporation of the Lutheran Congregation at the Trappe, Montgomery county, to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Lutheran congregation at the Trappe, Montgomery county, a body corporate, under the name of the minister, trustees, elders and church wardens, of the Lutheran congregation, in Providence township, Montgomery county, in the state of Penn-*

sylvania, be and are hereby authorized to borrow a sum of money, not exceeding two thousand dollars, in such sum or sums as to the vestry shall be preferable, and at such rate of interest, not to exceed six per cent. per annum, as the said vestry may fix and agree upon; and for the purpose of securing said loan, they are authorized to execute a bond, or bonds, to the holders of the same, under the hands and seals of the president, secretary and treasurer of said corporation, the amount so loaned to be applied to the payment of the debt incurred in the building of said church, and for no other purpose.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

ROBT. M. PALMER,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini, one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 540.

AN ACT

To incorporate the Eagle Cotton Works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Josiah King, Isaac M. Pennock, William C. Robinson, James Graham, William Bagaley, Joseph Pennock, Ottis Brown, William W. Ball, James Dain and Henry H. King, of Allegheny county, Evan Randolph and William P. Jenks, of the city of Philadelphia, or a majority of them, be and they are hereby appointed commissioners to open books, after having given not less than ten days' notice thereof, in at least one newspaper published in the city of Pittsburg, receive subscriptions and organize a company, under the name, style and title of the Eagle cotton works, and as such, shall have power to take and hold lands and real estate in Allegheny city, in the county of Allegheny, not exceeding in quantity at any one time five acres, and to erect thereupon such buildings, et cetera, as may be necessary to carry out the objects of the corporation, to manufacture fabrics, consisting wholly or in part of cotton, and to store and traffic in cotton and its products.

SECTION 2. That the capital stock of said company shall be two hundred and fifty thousand dollars, divided into ten thousand shares, of twenty-five dollars each; and the said company is hereby declared and made capable, in law, to sue and be sued,

Commissioners.

Title.

Authorized to hold lands and erect buildings.

Object.

Capital stock.

implead and be impleaded, to have a common seal, and the same Seal.
to alter at pleasure; to sell and convey their real estate, and to Privileges.
purchase, hold and sell such personal property as may be necessary
to promote the objects of the corporation.

SECTION 3. That the affairs of said company shall be managed Management.
by a board of not less than five, nor more than nine directors,
one of whom shall be president, who shall be chosen by the
stockholders; the first election shall be held within sixty days Election of board
after this act shall take effect, of which election public notice of directors.
shall be given at least two weeks, in one newspaper published Notice.
in the city of Pittsburgh, and subsequent elections, at such time
and place, annually, as the directors shall determine, of which
the same notice shall be given; all elections shall be by ballot,
and every share of stock, and the required instalments paid in, Votes.
shall entitle the holder to one vote, in person or by proxy:
Provided, That in case of failure to hold an election under this Provide.
act, the former directors shall continue in office until their suc-
cessors be duly elected; and in case of resignation or death of Vacancies.
the president, or any director, the remaining directors shall
elect a person to serve until the next annual election.

SECTION 4. That the stock of said company shall be transfer- Transfers.
able, agreeably to the by-laws, which may be adopted by the
directors, and that dividends may be declared and paid, when- Dividends.
ever the directors deem it advisable; but said dividends shall in
no case exceed the amount of actual net profits acquired by the Prohibition.
corporation; and if the directors shall make a dividend of more
than the actual net profits, the directors consenting thereto
shall severally be liable to the corporation in their individual
capacities for the excess so divided and paid; and the said com-
pany shall pay into the treasury of the state, a bonus of two Bonus to state.
and one half per cent. on the capital stock hereby authorized,
in three equal annual instalments, in lieu of any tax on divi-
dends, the first whereof shall be paid within one year from the
date of the issue of letters patent herein provided for.

SECTION 5. That this act shall not take effect until one thou- When this act to
sand shares shall have been subscribed for, and at least one take effect.
half of that amount have been paid in, of which a statement,
containing the names of the subscribers, and the amount sub-
scribed for by each, shall be given to the governor, to be filed
in the office of the secretary of the commonwealth; whereupon, Letters patent.
the governor shall issue letters patent to the said subscribers.

SECTION 6. That the said corporation may issue bonds and May issue bonds.
sell the same at their market value, notwithstanding it may be
less than par; which bonds may be secured by mortgage of the
real estate and franchises of the company; but no bond shall be
issued for a less amount than one hundred dollars.

SECTION 7. That the stockholders of said company shall be Individual lia-
individually liable, jointly and severally, for debts due mechan- bility.
ics, workmen and laborers employed by said company, and for
country provisions furnished for said company, to be sued for
and collected as is provided in the twelfth, thirteenth and four-
teenth sections of the act incorporating the Lackawanna coal
and iron company, approved the fifth day of April, Anno Do-
mini one thousand eight hundred and fifty-three: Provided,
That no stockholder shall be held individually liable for any

such debt, unless sued for within six months after such debt shall have become due.

Reservation.

SECTION 8. That the legislature hereby reserves the right to amend, alter and repeal this charter at any time; in such manner, however, as that no injustice shall be done to the stockholders; and this charter shall extend for a period of twenty years.

Limitation.

ISAAC A. SHEPPARD,

Speaker of the House of Representatives pro tem.

G. RUSH SMITH,

Speaker of the Senate pro tem.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 541.

AN ACT

To incorporate the Bethlehem Railroad Company.

Corporators.

Name.

Powers.

Seal.

By-laws.

Capital stock.

Authorized to borrow money and issue bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Vleit, Samuel Stroub, James Kennedy, Conrad Shimer, C. A. Luchenbach, James Leibert, John Fritz, James Jenkins and Charles Brodhead, and their associates and successors, and other persons, who shall become stockholders, be and they are hereby created a body politic and corporate, by the name and style of the Bethlehem railroad company, and by the said name shall have perpetual succession, and shall be, in law, capable of suing and be sued, pleading and be impleaded, in all courts and judicatures, whatsoever, and also of contracting and being contracted with, relative to the business and objects of the said corporation; and they may have a common seal, and may change and alter the same, at pleasure, and make rules and by-laws for the regulation and management of the said corporation, consistent with the laws of this commonwealth.

SECTION 2. The capital stock of the said company shall be fifty thousand dollars, divided into shares of fifty dollars each, with the privilege of increasing the same, as may be necessary, not, however, to exceed the sum of one hundred thousand dollars; and the said company may borrow money, not to exceed the sum of one hundred thousand dollars, and issue, from time to time, bonds therefor, in the corporate name, and under the common seal, of said company, in sums not less than one hundred dollars, either with or without coupons attached, payable at such times, and on such terms, and at such rate of interest,

not exceeding ten per centum per annum, as they may deem expedient, and to sell said bonds at a less rate than the par value thereof, if deemed necessary, and may secure the payment of said bonds and coupons, by a mortgage or mortgages upon the road, property, income, revenue, tolls, and also upon the franchises and corporate privileges of the said company.

SECTION 3. That the said company shall have the right to build a railroad from the Lehigh Valley and North Pennsylvania railroad junction, opposite Bethlehem, in Saucon township, Northampton county, to the borough of Bath, in said county, by such route as may be deemed best by the said company, with power to connect with the said North Pennsylvania and Lehigh Valley railroads; and the said company may build lateral roads, not exceeding three miles in length: *Provided*, Said lateral roads shall only be used for the purpose of bringing material to the main line: *And provided further*, That this company shall not build any lateral roads, east or west, along the Lehigh river; and their right to bridge the Lehigh is hereby restricted to within half a mile of the place of junction of this road with the North Pennsylvania and Lehigh Valley railroad.

Authorized to construct road.

Route.
Connections.
May build lateral roads.
Proviso.
Proviso.

SECTION 4. That if, in the location of the said road, or lateral roads, or in the building of the same, any injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner or person injured, the same shall be adjusted and settled, according to the provisions of the eleventh section of an act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine.

Settlement of damages.

SECTION 5. The stockholders shall annually, on the first Saturday in May, elect a president, and such a number of directors, not less than four, nor more than thirteen, as the by-laws may provide; and the persons above mentioned shall be the first board of directors, and they, and all subsequent boards, shall continue in office until their successors shall be elected.

Annual election of officers.

First board of directors.

SECTION 6. That the president and directors shall procure certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, which shall be transferable on the books of the company, under, and subject to, such conditions as the by-laws may prescribe; and in every election, or meeting, the stockholders shall be entitled to one vote for each share of stock held by him or them.

Certificates of stock.

Transferable.

Votes.

SECTION 7. That if any stockholder, or his assignee, shall refuse or neglect to pay any instalment called for by the said company, at the place appointed, and the same shall remain unpaid for thirty days after such time, he shall, in addition to said instalment, pay interest, at the rate of five per cent. per month, for delay; and if the same shall remain unpaid, so that the penalty amounts to the sum paid in by the said stockholder, it shall be in the power of the said company to forfeit said stock, and the amount paid thereon, to the use of said company.

Neglect or refusal to pay instalments, relative to.

SECTION 8. The said company is also authorized to contract with the Bethlehem bridge company, for the privilege of running their cars over the bridge of the said company; or they may bridge the Lehigh, at such point as may be most suitable;

Authorized to contract with the Bethlehem bridge company.

and upon the completion of said road, authorized as aforesaid, or any portion thereof, or the lateral roads, the same shall be esteemed a public highway, for the conveyance of passengers, and transportation of freight, subject to such rules and regulations, in relation to the same, and to the size and construction of wheels, cars and carriages, the weight of loads, and all other matters and things connected with the use of said railroad, as the president and directors may prescribe and direct: *Provided*, That said company shall have the exclusive control of the motive power, and may, from time to time, establish, demand and receive, such rates of toll, or other compensation, for the use of said railroad, its branches and motive power, and for the conveyance of passengers, the transportation of merchandise and commodities, and the cars and other vehicles containing the same, or otherwise passing over said road and its branches, as to the president and directors may seem reasonable.

Road to be a public highway.
Subject to.
Proviso.
When road to be commenced and completed.
Proviso.

SECTION 9. That this charter shall be null and void, unless the said railroad be commenced within four years, and finished within eight years: *Provided*, That if any part of the same shall be finished, and in working order, within that time, the charter shall be valid, to all intents and purposes, for the same, as if the whole road had been finished.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

ROBT. M. PALMER,

Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 542.

AN ACT

To enable the Executors of Maria C. Johnson to convey certain Real Estate.

WHEREAS, Maria C. Johnson, late of the city of New York, was seized, in her life time, of the one undivided fourth part of several tracts or lots of land, in Jefferson and Clarion counties, which descended from her father, William Johnson, some of which lands were contracted to be sold by the said Maria C. Johnson, and the residue remain unsold, and are entirely unproductive; and the said Maria C. Johnson, in and by her last will and testament, has devised the one-third part of the said undivided fourth part of said lands, to her brother, William Templeton Johnson, for life, with remainder, in fee, to his

children ; but no provision was made, by said testatrix, in her said last will and testament, to sell and convey the same ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the executors of the last will and testament of the late Maria C. Johnson, late of the city of New York, dated the fifth day of May, Anno Domini one thousand eight hundred and fifty-nine, or any one of the said executors, or any administrator with the said will annexed, who may take out letters of administration upon her estate, in Pennsylvania, are and is hereby fully authorized and empowered to grant, bargain, sell, convey and confirm, in fee simple, by good and sufficient deeds, in law, to any person or persons whatever, the one undivided third part of all lands, situate within the counties of Jefferson and Clarion, in the commonwealth of Pennsylvania, which were devised by the general residuary devise of the said will, to the said William Templeton Johnson, for life, with remainder to his children, as in the said will set forth ; and also, the said executors, or any one of them, or the administrator *cum testamento annexo* of the said Maria C. Johnson, to make, execute and deliver, to the respective purchasers, deeds, in fee simple, for the said interest of the said Maria C. Johnson, in any of the said tracts of land heretofore agreed to be sold and conveyed : *Provided nevertheless,* That the said executors, or any one of them, as shall undertake to sell and convey the said undivided one-third part, or shall undertake to make deeds, in fee simple, for such of the lands as have been heretofore sold, shall give bond, with security, to be approved by the orphans' court of Jefferson county, before executing any deeds for any part of said lands, for the faithful application of the proceeds of the same.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 543.

A N A C T

To authorize the Crawford County Central Agricultural Society to sell their Fair Grounds to the Atlantic and Great Western Railroad Company, and to straighten the channel of French Creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and officers of the Crawford County Central agricultural society, be and the same are hereby authorized to sell, convey and confirm, to the president and directors of the Atlantic and Great Western railroad company, the fair ground of the said society, adjacent to the borough of Meadville, or what is called "the Island," and to invest the proceeds of such sale in the payment of the debts of said society, and the purchase of other grounds suitable for the purposes of said society; and the Atlantic and Great Western railroad company shall have the right to straighten the channel of French creek, so as to facilitate the construction of their road across the said island and through the said fair grounds: Provided however, That no injury shall be done to private property, or to the navigation of said creek, thereby.*

ISAAC A. SHEPPARD,

Speaker of the House of Representatives pro tem.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 544.

A N A C T

To incorporate the Oso Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

B. R. Miller, W. T. Elbert, J. D. Ellis, William Wallace, S. Johnson, and their associates, be and they are hereby created a body politic, by the name, style and title of the Oso mining Title. company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving, in its corporate name, property, real, personal and mixed, and of holding and improving lands in California, and to obtain therefrom any and all minerals, and other valuable substances, whether by working or mining, leasing or disposing of privileges to work or mine such land, or any part thereof, and to erect houses and such other buildings and works as may properly appertain to said business, and to use, let, lease or work the same, and to dispose of all such lands, mines and works, by lease, mortgage or sale, as they may think proper.

Powers and objects of the corporation.

SECTION 2. That the said company shall have power to make By-laws.

such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter and amend, add to or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of the United States, or of this commonwealth, or the provisions of this act; and

Proviso.

to adopt a common seal, and the same to alter, at pleasure; and also to borrow money, in such mode and at such rate or terms as

Seal.

may be agreed upon, and to issue bonds or scrip, representing such loan or loans, and also certificates of stock, representing the value of their property, in such form, and subject to such regulations as they may, from time to time, by their by-laws, prescribe, and to regulate and prescribe in what manner or form their contracts and obligations shall be executed.

Authorized to borrow money.

May issue bonds, certificates of stock, &c.

SECTION 3. That the corporation named in this act shall elect persons to serve as directors of the company, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

Election of directors.

Quorum.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company, whenever their business is located, and to have their principal office in the United States, in such place as they may deem expedient; at which place it shall be lawful to hold all meetings for transaction of business of the company.

Offices.

SECTION 5. That this corporation shall pay into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may hereafter be, imposed, by law, on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the

Bonus to state.

Individual liability.

Limitation.

privileges hereby granted shall not extend for a period longer than twenty years.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 545.

AN ACT

To authorize the Guardian of Charles K. Harrison and Emily K. Harrison, to sell certain parts of their Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the guardian of Charles K. Harrison and Emily K. Harrison, minor children of Samuel T. Harrison, deceased, appointed by the orphans' court of Philadelphia county, be and he is hereby authorized and empowered to sell and dispose of, from time to time, at private sale, in such parcels and upon such terms as he may think proper, all the estate, right, title and interest of the said minors, in any lands, tenements and hereditaments, situate in the county of Sullivan, in the state of Pennsylvania, in which they have an undivided interest; and to join, with the other parties owning the remaining interest in the same, in the execution, acknowledgment and delivery, to the purchasers, of good and sufficient deeds of conveyance, in fee simple, for the same, free from liability as to the application of purchase money, and also to join, in like deeds, for such parts of the said lands as have been heretofore sold: *Provided,* That before entering upon the execution of the powers hereby granted, the said guardian shall give such security, as the orphans' court for the county of Philadelphia shall deem sufficient to ensure the faithful application of the portion of the purchase money belonging to the said minors, which may accrue from the said sales.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 546.

AN ACT

Authorizing the erection of a Telegraph Line from Pittsburg to Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the right to build, construct, erect and use a line of telegraph from Pittsburg, through the counties of Allegheny and Butler, and the borough of Butler to Franklin, with the right to extend the same to such other points in the counties of Venango, Warren, Crawford and Mercer, as may be deemed necessary, and to make intermediate stations, be and the same is hereby granted to Coaldstream Barry, subject to all the restrictions, limitations and penalties contained in the general laws of this commonwealth relating to telegraphs: *Provided,* That nothing herein contained shall authorize him to obstruct any public highway, or to enter upon or occupy the lands of any person or corporation, without their consent.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 547.

AN ACT

To enable Elizabeth White to make title to certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Elizabeth White, formerly Elizabeth Forister, be and she is hereby authorized to make title for all the real estate, which she has inherited by the will of her father, — Forister, late of

Butler county, deceased, as fully as a *feme sole* could do, by the laws of this commonwealth.

ISAAC A. SHEPPARD,
Speaker of the House of Representatives pro tem.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 548.

AN ACT

To incorporate the Luzerne Coal Transportation Company.

- Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Dickson, A. N. Meylert, H. S. Pierce, John R. Davis, Robert Wescott, M. D., W. A. Chittenden, William H. Perkins, Edward Jones and George Simpson, of the county of Luzerne, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Luzerne Coal transportation company, and as such shall have power to purchase, take conveyance of and hold the railroad, machine shops, depots and other property connected therewith, late of the Lackawanna railroad company, and shall have power to carry on and conduct the business of mining, purchasing, transporting and selling coal, and for this purpose shall be entitled to all the rights, powers, franchises and privileges conferred upon the Lackawanna railroad company, under the several acts of assembly relating thereto.
- Style.** AUTHORIZED TO PURCHASE THE PROPERTY AND ENJOY THE POWERS OF THE LACKAWANNA RAILROAD COMPANY.
- Subscriptions to capital stock.** SECTION 2. That the corporators named in this act, or a majority of them, shall open books for subscription to the capital stock of said company, at such time and place as they, or a majority of them, may designate; and when stock to the amount of fifty thousand dollars is subscribed, in shares of fifty dollars each, the stock subscribers may meet, and elect a board of nine managers, from among the stockholders, to serve the company for the ensuing year, and until others are elected.
- When board of managers to be elected.** SECTION 3. That said company are hereby authorized to borrow money, not exceeding one hundred and fifty thousand dollars, at a rate of interest not exceeding eight per cent., and to give bonds, with or without coupons attached, secured by mortgage, or such other security therefor, as they may judge expedient.
- May borrow money.**
- Bonds secured by mortgage.**

dient: *Provided*, That no bond so issued shall be for a less sum *Proviso*. than one hundred dollars.

E. PENN SMITH,
Speaker of the House of Representatives pro tem.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 549.

A N A C T

To incorporate the Highland Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Hepburn, Philip M. Price, L. A. Mackey, H. T. Beardsley, D. K. Jackman, J. Hogan Brown, George C. Harvey, Thomas Yardley, C. A. Mayer, Allison White, Charles Blanchard, Simon Scott, N. Shaw, O. D. Satterlee, Jesse Merrill, C. W. Wingard, be and they, and their successors, are hereby made and created a body politic and corporate, in law, under the name, style and title of the Highland cemetery company, and by that name **Corporators.** shall have perpetual succession, and be able and capable, in law, **Privileges.** to have and use a common seal, to sue and be sued, implead and be impleaded, in all courts of law and equity, and to do all such other things as are incident to a corporation.

SECTION 2. That the said corporators shall, at any annual or special meeting, called in accordance with their by-laws, elect, by ballot, from among those who may be lot-holders in the cemetery, additional corporators, either to fill vacancies, or increase their number, so that the said company shall never be reduced to less than ten, nor exceed thirty members; and they shall have full power to ordain, establish and put in execution, all by-laws, rules and regulations, not contrary to the constitution and laws of the United States, or of this state, which may be necessary for the proper government of the corporation, its officers and affairs; and, until the election of managers, shall exercise all the powers thereof. **Additional corporators may be elected.** **By-laws.**

SECTION 3. That the said corporation shall once, in every year, elect from their number, five managers, one of whom shall be designated as president; and the said managers shall have power to fill any vacancy that may occur in their own number, shall appoint a secretary and a treasurer, and all such other **Election of managers.** **Their powers and duties.**

Officers.	officers, agents and workmen that may be needful, and fix their duties, compensation and wages, and the same discharge, when occasion may require, and shall take from the treasurer security for the faithful performance of his trust; they shall keep fair minutes of all their acts and doings, and make a report of their proceeding, and a statement of the finances of the company, to the annual meetings of the corporators.
Treasurer to give security.	
Reports and statements to be made.	
Authorized to receive and use bequests and purchase land.	SECTION 4. That the said company shall have power to receive all such gifts, bequests, and donations of property, as may be made, and to use the same for the benefit of the corporation, to contract for and purchase, from the owner or owners thereof, a tract or tracts of land, in the vicinity of the borough of Lock Haven, in the county of Clinton, not exceeding, in the whole, fifty acres, or to receive, from such owner or owners, a conveyance of such tract or tracts of land, in trust, for the purposes of such cemetery, upon such terms and conditions, and for such trusts and uses, as may be agreed upon with such owner or owners, and the same to lay out and ornament, and divide and arrange into suitable plots and burial lots, to erect such buildings as may be required thereon, and do all other things proper and necessary to adapt the said grounds for the purpose of a cemetery, and to sell and dispose of the said plots and burial lots, for the purposes of sepulture, to individuals, societies or congregations, without distinction or regard to sect, under such conditions, rules and regulations as said corporators, or managers, may establish for the government of lot-holders, visitors to the cemetery, and burial of the dead: <i>Provided</i> , That the lots, granted by the said company for burial lots, shall not be used for any other purpose, and shall be free from seizure, levy or sale, under or by virtue of any execution against any grantee or grantees of said company, for such purpose.
Limitation.	
Terms.	
Grounds to be laid out, ornamented, &c.	
Sale of lots, relative to.	
How held, &c.	
May hold personal property.	SECTION 5. That the said corporation shall be capable of holding so much personal property as may be necessary for the purpose of the incorporation; and it shall be the duty of the managers to devote all the income belonging to said corporation, of whatsoever kind, to the purposes thereof, and whenever their finances will warrant it, to invest any funds on hand in ground rents, mortgages, or stocks of the commonwealth of Pennsylvania, for the creation of a fund, the income of which shall be applied, as may be necessary, for the improvement of the cemetery, and for its perpetual maintenance in proper order and security; and any failure, in the duties aforesaid, shall subject said managers and corporators to the control of the competent judicial authorities for correction.
Investment of surplus funds.	
Income, how to be applied.	
Conveyance of lots, form and effect of.	SECTION 6. That the conveyance of lots, from the said corporation, may be either by deed, or by certificate, under the corporate seal, signed by the president and treasurer; and such deed or certificate shall vest in the grantees or grantees, his, her or their heirs and assigns, a right to such lot or lots, for the purpose of sepulture alone, transferable, with the consent of the board of managers, upon such terms and conditions as the by-laws may prescribe; and such deed or certificate, under the seal of the corporation, for any lot or lots in said cemetery, or any transfer of any such lot or lots, duly executed and approved, as aforesaid, when registered in the books of the said company, shall,
Transfers.	

in all respects, have the same effect as such deed, certificate or transfer would have, if executed, acknowledged and recorded, as conveyances of real estate are required to be.

SECTION 7. That any person, who shall willfully destroy, mutilate, deface, injure or remove, any tomb, monument or grave stone, or other structure, placed in said cemetery, or any fence, railing, or other work for the protection or ornament of the same, or shall willfully destroy, cut, break or injure, any tree, shrub or plant, within the limits of said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any court of competent jurisdiction, be punished by a fine of not less than five or more than one hundred dollars, and by imprisonment in the county jail, for a term of not less than one or more than thirty days, according to the nature and aggravation of the offence; and such offender shall also be liable in an action of trespass, in the name of said corporation, to pay all such damages as have been occasioned by his unlawful act or acts; which money, when recovered, shall be applied by said corporation, under the direction of the managers, to the reparation and restoration of the property destroyed or injured; and members of said corporation, or owners of lots, shall not thereby be prevented from testifying, in any case at law, to which said corporation shall be a party.

Penalty for injuries to grounds, &c.

SECTION 8. That no street, lane, road or alley shall ever be laid out through the lands so occupied as a cemetery, without the assent of the said corporation.

Streets or roads through cemetery.

J. H. SELTZER,
Speaker of the House of Representatives pro tem.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 550.

AN ACT

Relating to the Catawissa Railroad Company.

SECT ON 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the board of directors of the Catawissa railroad company to create and issue bonds, to an amount not exceeding two hundred and fifty thousand dollars,

Authorised to issue bonds and secure the same by a first mortgage.

- at a rate of interest not exceeding seven per centum per annum, and to secure the same by a first mortgage upon their railroad, real estate and franchises, or such portions thereof as said board of directors may determine; and the said company may dispose of said bonds on such terms, and in such manner, as they may deem expedient: *Provided however*, That before the power hereby conferred shall be exercised, the consent of two-thirds, in amount, of the preferred stockholders of said company shall be obtained, either at the annual meeting of said company, or at a special meeting, convened by the president and directors, (upon giving ten days' previous notice, in two daily newspapers published in the city of Philadelphia, and one daily newspaper published in the city of New York,) or in such other way and manner as either of said meetings shall appoint or direct; and the said company shall and may, with like consent, be relieved from the obligation to secure the dividends to the preferred stockholders, by mortgage or deed of trust, upon the whole, or any portion of the property and franchises of said corporation, as may, by the parties so consenting, be determined.
- Consent of two-thirds of preferred stockholders necessary.** SECTION 2. That the annual meeting of the stockholders of said company shall hereafter be held on the first Tuesday in April, of each year, and the election for president and directors shall be held on the first Monday in May, of each year, as now.
- Notice of meeting for that purpose to be given.** SECTION 3. That it shall be lawful for the said company to construct branches, not exceeding ten miles in length, connecting with their own road, or with other railroads, for the purpose of leading to coal mines or iron works.
- Company may be released from securing dividends to preferred stockholders, by mortgage.** SECTION 4. That the time allowed for the completion of said Catawissa railroad to Williamsport be and the same is hereby extended to the first day of November, eighteen hundred and seventy-one.
- Annual meeting.** SECTION 5. That so much of any acts or parts of acts, as is inconsistent with any of the provisions of this act, be and the same is hereby repealed.
- Election, when held.**
- May construct branches.**
- Time for completion of road extended.**
- Repeal.**

ELISHA W. DAVIS,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 551.

A N A C T

To incorporate the Saucon Railroad and Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That William Nickum, Joseph Traeger, Ambrose J. Irwin, Robert P. Krause, Traugott Leinback, and their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Saucon railroad and mining company, with a capital of fifty thousand dollars, with power to increase the same to one hundred thousand dollars, to be divided into shares of fifty dollars each.*

SECTION 2. That the affairs of said company shall be managed by a board of five directors, who shall be chosen by the stockholders; one of the said directors shall be the president, to be chosen by the board, and three of them shall constitute a quorum for the transaction of business; the first election of directors shall be held within two years after the passage of this act, of which election, public notice shall be given at least three weeks, in one newspaper published in the county of Northampton, and subsequent elections shall be held at such time and place, annually, as the directors shall determine; all elections shall be by ballot, and every share of stock subscribed and paid in, shall entitle the holder to one vote, in person or proxy: *Provided, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected, and in case of resignation or death of any director, the remaining directors shall elect a person to serve until the next annual election.*

SECTION 3. That the said corporation, by the said name, shall and may have perpetual succession, and shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure; and by the style and title aforesaid, shall be capable, in law, to sue and be sued, before any court of this commonwealth, and may do and make all needful rules, regulations and by-laws, for the well ordering of the business affairs of the corporation, so that the same in no wise conflict with, or be contrary to the laws and constitution of this commonwealth, or of the United States.

SECTION 4. That the said corporation shall be able and capable, in law, to take, receive and hold, in fee simple, or to lease lands in Northampton and Lehigh counties, or either of them, not exceeding one thousand acres at one time, with power to mortgage, sell, lease, or otherwise dispose of the same, or any part thereof; and the capital of the company may be employed in mining ores, quarrying limestone, and transporting and vending the same, and for such other objects as may be necessary in the prosecution of said business.

Transfers.	SECTION 5. That the stock of said company may be transferred, agreeably to the by-laws, which may be adopted by the corporation.
Subscriptions to stock, how to be paid in.	SECTION 6. That subscriptions of stock may be paid in real and personal estate, appropriate to the business contemplated by this act, at a <i>bona fide</i> cash valuation, to be agreed upon by a majority in interest of the subscribers, stockholders; and the board of directors may issue bonds of the said corporation, bearing interest, not exceeding eight per centum per annum, to an amount not exceeding one half of the capital stock of said company actually paid in, and sell the same at their market value, notwithstanding it be less than par; but no bond shall be issued for a less amount than one hundred dollars; and the said directors may secure the principal and interest of said bonds by mortgage on the real estate and franchises of said company.
Bonds may be issued.	SECTION 7. That the said company be and they are hereby authorized and empowered to construct a railroad, from their ore beds and mines and quarries, in the township of Upper Saucon, in the county of Lehigh, and Lower Saucon, in the county of Northampton, to connect with the North Pennsylvania railroad, at such point in the county of Northampton or Lehigh, as may be deemed most convenient and expedient by the said directors; and, also, to construct a railroad from their said ore beds, and mines and quarries, to connect with the Lehigh Valley railroad, at such point in the said county of Northampton or Lehigh, as may be deemed most convenient and expedient to said directors, with power to use any railroad or railroads, now built by any other company, association or individuals, as part thereof: <i>Provided</i> , They can agree with the owners of such railroad or railroads for such use; and the said company shall be entitled to all the privileges, and subject to all the provisions, prescribed by an act regulating railroads, approved February the nineteenth, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as may be provided by this act.
Limitation.	
Mortgage.	SECTION 8. That in all cases when said company and the owners of land cannot agree upon the amount of damage claimed, the said company may tender a bond, with good and sufficient security, to the party claiming damages, the condition of which shall be, that the company will pay, or cause to be paid, such amount of damages as the parties shall be entitled to receive, after the same shall have been agreed upon or assessed according to law: <i>Provided</i> , That in case the parties claiming damages refuse to accept the bond tendered by the company, the said company may, in any such case, present their bond or bonds to the judges of the court of common pleas of the proper county, or to any one thereof, and if the security of the said bonds shall be approved, they shall direct said bonds to be filed in the prothonotary's office of said court, for the benefit of those interested; whereupon, the said company may enter upon and take possession of said lands, for the construction of said road or roads, in case the parties claimant shall refuse the amount tendered by the company for said damages, and shall not recover, by process of law, a greater amount than shall have been tendered by said company.
Railroad authorized.	
Location and connections.	
May use other roads.	
Proviso.	
Damages, settlement of.	
Proviso.	

SECTION 9. That in all cases in which the owners of land and Guardians may materials may be minors, it shall be lawful for the guardian of adjust damages. such owners to adjust the damages to be paid, and on payment of the amount, it shall be lawful for such guardian to release said company from all claims therefor, and to execute all necessary papers in the premises; in case said parties cannot agree, the said company may proceed as provided in the eighth section of this act.

SECTION 10. That said company shall have power to fix and Rates of toll. establish the rates of toll, for freight passing over their said road or roads: *Provided*, That said rates of toll and motive *Proviso*. power charges, on all and every kind of agricultural or farming produce, lumber and building materials, shall not exceed those rates prescribed by the charter of the Catasauqua and Fogelsville railroad.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 552.

AN ACT

To validate and ratify a certain Contract, made by the Anderson Creek Public Road and Navigation Company, with Charles Blanchard, George Craig and Jesse Lane, and John Dubois and E. S. Lowe.

WHEREAS, The Anderson Creek public road and navigation company, in and by a certain article of agreement, bearing date the seventh day of October, Anno Domini one thousand eight hundred and fifty-nine, granted and conveyed, to Charles Blanchard, George Craig and Jesse Lane, and John Dubois and E. S. Lowe, the right and privilege of receiving tolls upon Anderson's creek, in the county of Clearfield, and other privileges, in said contract or agreement mentioned and specified, in consideration of their clearing out and improving the navigation of said creek:

And whereas, The act of assembly creating the said corporation does not, in terms, authorize the making of such contract; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the said contract as aforesaid, made by the Anderson Creek public road and navigation company, with the said Charles Blanchard, George Craig and Jesse Lane, and John Dubois and E. S. Lowe, be and the same is hereby validated, ratified and confirmed, as fully, to all intents and purposes, as if the powers and authority to make the same had been fully granted and conferred in the act of assembly incorporating said company.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 553.

AN ACT

To incorporate the town of Newburg, Cumberland county, into a borough.

Boundaries. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town of Newburg, in the county of Cumberland, and territory included within the following limits, to wit: Beginning at a post, corner of lands of W. W. Frazer and Robert Elliott, thence seventy-two and three-fourth degrees west one hundred and fourteen perches to a post; thence north thirty-two and a half degrees west one hundred and nineteen perches to a post; thence north sixty and a half degrees east one hundred and eight perches to a post; thence south seventy-one degrees east seventy-six perches to a post; thence south three and a half degrees east ninety-six perches, to the place of beginning, is hereby erected into a borough, which shall be called and styled the borough of Newburg.

Election of borough officers, when held, &c.

SECTION 2. The inhabitants of said borough, qualified to vote for members of the general assembly, having a *bona fide* residence, of at least thirty days immediately preceding the election, shall, on the first Monday of May next, and on the third Friday of March, in every year thereafter, meet, at the school house in said borough, and then and there, between the hours of one o'clock and seven o'clock, in the afternoon, elect, by ballot, one citizen, who shall be styled the burgess of said borough, and four other citizens, to be members of the town council, two to serve one year and two for two years, and thereafter two members of town council annually; and at the first election

three school directors, one to serve one year, one for two years, and one for three years, and thereafter one school director annually; and one person to be constable of said borough, whose name shall be returned to the next court of quarter sessions, for the like purposes as in elections of township constable; the said inhabitants shall also, at the same time and place, elect one justice of the peace, one judge and two inspectors of elections, and assessors, agreeably to the laws of this commonwealth; the said elections shall be conducted in the same manner as is provided for the election of township officers of this commonwealth, except that the certificates of the election of burgess, town council and school directors, shall be filed among the records of the corporation: *Provided*, That the first election to be held, under this act, shall be held by a judge and two inspectors, to be chosen by the inhabitants present at the opening of said election, by the constable of the township of Hopewell, who is hereby required to attend, at the said school house, on the first Monday of May next, and open said election.

How conducted.

Election officers for first election.

Constable.

SECTION 3. That from and after the said first Monday of May next, the burgess and town council duly elected, and their successors, shall be one body politic and corporate, by the name, style and title of the burgess and town council of the borough of Newburg, and shall have, possess and enjoy all the rights, liberties, franchises and privileges of a borough, incorporated in pursuance of the act, passed first of April, Anno Domini eighteen hundred and thirty-four, entitled "An Act to provide for the incorporation of boroughs," and the several provisions of said act, so far as the same are not inconsistent with this act, shall extend to, and be in force within, said borough, as fully as if the said borough had been incorporated agreeably to the provisions thereof.

Incorporation.

Powers.

SECTION 4. The town council shall levy and collect, annually, for borough purposes, any tax, not exceeding four mills on the dollar, on the valuation assessed for county purposes, as now is, or may be, provided by law.

Tax, rate and collection of.

SECTION 5. The said borough shall be a separate school district, and shall be entitled to all arrearages of taxes levied on the property within the same, and not specifically appropriated prior to the passage of this act; and the school directors, elected under this act, shall perform the same duties, and possess the like powers, in all respects, as school directors elected agreeably to the general laws of this commonwealth.

To be a separate school district.

Duties of school directors.

SECTION 6. The said borough shall be a separate election district, and the electors thereof shall hold their borough and general elections at the school house in said borough.

Separate election district.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 554.

SUPPLEMENT

To an act to incorporate the Pittsburg and Birmingham Passenger Railroad Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pittsburg and Birmingham Passenger railroad company shall be permitted to intersect their present road, at or near the south end of the Monongahela bridge, and extend the same thence, by single or double track, with the necessary turn-outs, sidings and switches, along the Pittsburg and Washington turnpike road, or Main street, through the borough of Monongahela, to the borough of West Pittsburg; thence along said turnpike road, or main street, through the borough of West Pittsburg, to the Temperanceville and Noblestown plank road; and thence along the said plank road to a point at or near their toll gate, in Temperanceville, in the county of Allegheny; subject to all the terms, conditions, limitations and restrictions mentioned and contained in the act to which this is a supplement: Provided, That the right of way shall be obtained in the manner provided in the ninth section of the act to which this is a supplement: Provided, That said road shall be completed within three years.*

ELISHA W. DAVIS,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

We do hereby certify, that the bill, entitled "A supplement to an act to incorporate the Pittsburg and Birmingham Passenger railroad company, approved the 19th day of April, A. D. 1859," was presented to the governor, on the eighteenth day of April, A. D. one thousand eight hundred and sixty-one, and was not returned within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

E. H. RAUCH,

Clerk of the House of Representatives.

RUSSELL ERRETT,

Clerk of the Senate.

HARRISBURG, May 16, 1861.

No. 553.

SUPPLEMENT

To an act to incorporate the Citizens' Passenger Railway Company of the city of Pittsburg, approved the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Citizens' Passenger railway company of the city of Pittsburg, shall have power and authority to extend their railway, by single or double track, with the necessary turn-outs, sidings and switches, from any point in the borough of Lawrence, or Pitt township, to the village of East Liberty, subject to all the terms, conditions and provisions of the act of assembly to which this is a supplement; and if the said railway company shall desire to use the whole, or any portion, of any road-way belonging to any incorporated company or companies, and shall fail to agree with said incorporated company or companies for the use of such road or roads, or parts thereof, after thirty days' notice of their desire to use and occupy the same, the right of way over the same shall be obtained in the manner provided in the tenth section of the act to which this is a supplement: *Provided,* That if the said company locate their road on any portion of the Pittsburg and Greensburg turnpike, they shall place the rails upon the side of the turnpike road, in such manner as to leave the centre of the road unobstructed.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

We do certify, that the bill, entitled "Supplement to an act to incorporate the Citizens' Passenger railway company of the city of Pittsburg, approved the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine," was presented to the governor on the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one, and was not returned within three days after the meeting of the present Legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

E. H. RAUCH,
Clerk of the House of Representatives.

RUSSELL ERRETT,
Clerk of the Senate.

HARRISBURG, May 16, 1861.

No. 556.

A N A C T

To extend the Charter of the Greenwich Improvement and Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Greenwich improvement and railroad company (which was originally granted by the court of common pleas of the county of Philadelphia, and recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in miscellaneous book G. W. C., number one, page four hundred and seventy-nine, et cetera, in the name of the Greenwich land and building association, the name of which, by act of assembly approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six, was changed to the Greenwich improvement and railroad company) be and the same is hereby extended for the term of ten years from the expiration thereof, with all its existing powers, privileges, rights and property, and subject to all its present duties, obligations and liabilities.

E. PENN SMITH,

Speaker of the House of Representatives pro tem.

JOHN P. PENNEY,

Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 557.

A S U P P L E M E N T

To an act, entitled "An Act to incorporate the Allentown Railroad Company," approved April nineteenth, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the time limited by the fifth section of the act, entitled "An Act to incorporate the Allentown railroad company," passed and approved April nineteenth, one thousand eight hundred and fifty-three, be and the same is hereby extended for the further period of five years, for completing the same, beyond the time specified in a supplement to said act, approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-three.

ISAAC A. SHEPPARD,

Speaker of the House of Representatives pro tem.

G. RUSH SMITH,

Speaker of the Senate pro tem.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 558.

A SUPPLEMENT

To the act incorporating the Allegheny Mountain Health Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the company known as the Allegheny Mountain health institute, incorporated by act of the general assembly aforesaid, passed April twenty-ninth, Anno Domini one thousand eight hundred and fifty-four, be changed to that of Cresson Springs, with all the privileges pertaining to the above named original act of incorporation. Name changed.

SECTION 2. That said company shall have the right to raise, on their bonds, or other security, any sum not exceeding one-half of the capital stock paid in; the said money to be used in paying off the existing debt of the company, and in extending their improvements: *Provided,* That no bond shall be issued for any less sum than one hundred dollars. Authorized to issue bonds.
Proviso.

SECTION 3. That the directors of said company shall have the right to forfeit all unpaid stock: *Provided,* That the same shall remain unpaid, after giving two months' notice requiring such stock to be paid; the said notice to be given by publication in one daily newspaper, printed and published in the city of Pittsburgh, one daily newspaper, printed and published in the city of Directors may forfeit unpaid stock.
Notice to be given.

Philadelphia, and one weekly newspaper, printed and published in the county of Cambria.

ISAAC A. SHEPPARD,
Speaker of the House of Representatives pro tem.

G. RUSH SMITH,
Speaker of the Senate pro tem.

APPROVED—The twenty fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN

No. 559.

A FURTHER SUPPLEMENT

To an act to incorporate the Donegal Iron Company, passed April twenty-fourth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the corporate name of said company is hereby changed to the Donegal coal and iron company.

Name changed.

Authorized to hold and improve lands, and construct railroad.

SECTION 2. That in addition to the powers now conferred, by law, on said company, it is hereby authorized and empowered to hold lands, in Bedford and Huntingdon counties, and it shall have the power to improve and prepare its lands for mining coal, and to make and use one or more railroads, the whole not exceeding five miles in length, connecting the lands of said company with the nearest railroads now built, or which may hereafter be constructed: *Provided*, Said company, in the construction of said roads, shall have the powers and privileges, and be subject to all the regulations and restrictions of the general railroad law, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and its supplements.

Subject to.

JOHN J. PATTERSON,
Speaker of the House of Representatives pro tem.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 560.

A SUPPLEMENT

To an act to incorporate the Barclay Railroad and Coal Company, approved April third, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the Barclay railroad and coal company of Pennsylvania shall have power to issue preferred six per centum stock, in shares of fifty dollars each, to an amount not to exceed five hundred thousand dollars; said stock, or the proceeds thereof, to be appropriated to the liquidation of the bonded debt, or other debt or debts, of said company.

Authorized to issue preferred stock.

How to be appropriated.

SECTION 2. Said company shall have power to reduce the number of its board of managers to seven, including a president, or to five directors, a vice president and president, as may be deemed expedient; said directors, president and vice president, to be elected by the stockholders, as heretofore.

Number of managers reduced.

SECTION 3. This supplement, or any provision of it, shall become immediately operative, upon its acceptance by the stockholders holding two-thirds of the stock represented, and voting at any meeting of the stockholders, called for that purpose, agreeably to the requisitions of the charter.

Stockholders to vote upon acceptance of this supplement.

SECTION 4. Any laws, or parts of laws, not in accordance with any provision of this supplement, that may be hereafter accepted by said company, are hereby repealed.

Repeal.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 561.

AN ACT

To incorporate the Ligonier Bridge Company.

- Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Glover, Joseph Snodgrass and John J. Von, of Westmoreland county, and William Reynolds, Smyth Lyn and Elliott Robinson, of Indiana county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, under the name, style and title of the Ligonier bridge company, for the purpose of erecting a bridge across the Conemaugh river, nearly opposite the town of Boliver, in Westmoreland county, to a point on the farm of Elliott Robinson, in West Wheatfield township, Indiana county.
- Title.**
- Location of the bridge.**
- Capital stock.** SECTION 2. That the capital stock of said company shall be five thousand dollars, to be divided into shares of twenty dollars each, with power to increase the said capital stock and number of shares to an amount sufficient for the erection of said bridge.
- Subject to.** SECTION 3. That said company shall be organized under and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JOHN J. PATTERSON,
Speaker of the House of Representatives pro tem.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 562.

AN ACT

To incorporate the Mount Sinai's Evangelical Lutheran Church of Lower Mount Bethel township, in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the members of the Mount Sinai's Evangelical Lutheran church, Incorporation. of Lower Mount Bethel township, in the county of Northampton, are hereby erected into a body politic and corporate, in deed and in law, by the name and style of the Mount Sinai's ~~Evangelical Lutheran church, of Lower Mount Bethel township, in the county of Northampton.~~ **Pam.**

SECTION 2. That the said corporation, by their name and style, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of law, or elsewhere; shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors, for the use of said congregation, lands, tenements, goods and chattels, of whatsoever kind, nature or quality, real, personal or mixed, which now are, or shall hereafter become, the property of said corporation, or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person whomsoever, capable of making the same, and the same to grant, bargain, sell, mortgage, improve or dispose of, for the use and benefit of the said congregation: *Provided*, That the yearly value or income of the said estate, shall not, at any time, exceed one thousand dollars, and shall not be used for any other than benevolent or religious purposes. **Powers and privileges.**

SECTION 3. That the secular business of the said corporation shall be conducted by the council, consisting of five elders and six deacons, of whom six shall be a quorum, and the following named persons shall be the council: Abraham Shimer, Joseph Engler, Joseph Shimer, Edward Shimer, Aaron Sandt, Jacob K. Snyder, Joseph Smith, Adam Freeman, Wesley Wagoner, Samuel Heil and David Hinkle, who shall continue in office until the first Saturday of January, one thousand eight hundred and sixty-two, on which day the male members of the congregation, qualified to vote, shall elect two elders to serve two years, and three to serve one year, also, two deacons; the elders shall serve two years, and two, two years, and two, three years; every other year, three elders shall be elected; the deacons shall serve two years, and two shall be elected annually, the term of service to be designated by the electors, on their ballots, and their places, respectively, shall be filled at the annual election, to be held for that purpose, on that day, in every year thereafter, for the election of two deacons, and two deacons, every other year, three elders: *Provided*, That in case of a vacancy, by death or otherwise, the remaining council shall appoint a person to supply the same, until the next election. **Council, of whom to consist.**

SECTION 4. That if the members of the church neglect, on the day of the annual election, to hold their election, as is herein directed, the said corporation shall not be dissolved, but the council may appoint any subsequent time, not exceeding four weeks, at which the election may be held: *Provided*, That in case the council shall neglect, or refuse, to call a meeting, for the purpose of holding an election, as is directed in this act, then ten members, qualified to vote, may call a meeting, for the purpose of holding such election, by giving two weeks' notice of the time, place and object of such meeting. **Election and classification of elders and deacons.**

SECTION 5. That the congregation of said church, or a majority of the male members thereof, shall have full power to **Failure to hold election not to dissolve the corporation.** **By-laws.**

make, and enact, and enforce, such by-laws and ordinances as they shall think proper, for their own government, and for the regulation and transaction of the business of said congregation, and to make, use and have a common seal, and the same to break, alter and renew at their pleasure: *Provided*, That the said rules, by-laws and ordinances, shall not be contrary to this charter, or to the constitution and laws of this commonwealth, or of the United States.

Seal.
Proviso.

Report.

SECTION 6. That the council of said church shall regularly submit a report of their acts and proceedings, at each annual election.

JOHN J. PATTERSON,
Speaker of the House of Representatives pro tem.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 563.

AN ACT

To incorporate the Ashland Cemetery Association of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That A. P. Spinney, William J. Moodie, George H. Helfrich, A. L. Gee and John Eltringham, and such other persons as they may associate with them, and their successors, be and they are hereby created a body politic and corporate, in law, by the name, style and title of the Ashland cemetery association, and by that name shall have perpetual succession, and be able to sue and be sued, in any court of law, or equity, and may have and use a common seal, and the same, at their pleasure, alter and renew, and shall have power to purchase, have, hold and enjoy, to them and their successors, any real estate, which they may purchase, in the vicinity of the borough of Ashland, in the county of Schuylkill, for such cemetery: *Provided*, That the whole quantity of such real estate shall not exceed eight acres; and the said corporation shall have the power to receive gifts, or bequests, for the purpose of ornamenting and improving said cemetery, and to hold personal property, such as may be deemed necessary to carry out the object of this act

Corporators.

Title.

Seal.

Authorized to
purchase real es-
tate.

Limitation.

Privileges.

SECTION 2. That the affairs of said corporation shall be conducted by nine managers, who shall be elected by a majority of the votes of the members of the corporation, on the twenty-seventh day of December, of each year, and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; the said managers shall fill all vacancies which may occur in their own body, by selecting a member of this corporation to fill such vacancy, and shall have power to lay out and ornament the ground purchased for said cemetery, to erect such buildings thereon as may be proper and necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers, and fix their several duties and compensations, and to make such by-laws, rules and regulations as they may deem proper for the conducting the affairs of the corporation, for the government of the lot holders and visitors to the cemetery, and for the transfer of the lots and the evidence thereof; and each board of managers, each year elected as aforesaid, shall, as soon after said election as may be, organize themselves by electing, from their own number, a president, a secretary and a treasurer, whose several duties shall be such as the by-laws shall prescribe; the treasurer shall, before entering on the duties of his office, give adequate and approved security for the faithful discharge of his duties, in such sum as may, from time to time, be fixed by the board.

Election of managers.

Vacancies.

Powers and duties of managers.

Officers.

Treasurer to give bond.

SECTION 3. That every lot conveyed in said cemetery shall be held, by the proprietor, for the purpose of sepulture alone, transferable with the consent of the board of managers, and shall not be subject to attachment or execution.

Lots, how held, &c.

SECTION 4. That a certificate, under the seal of the corporation, of the ownership of any lot, shall, in all respects, have the same effect as any conveyance from said corporation of such lot would have, if executed, acknowledged and recorded as conveyances of real estate are required to be.

Certificates of ownership of lots, effect of.

SECTION 5. That at all elections held under this act, each member of the corporation shall be entitled to one vote, and no more: *Provided*, That until an election shall be held under the provisions of the second section of this act, such persons shall be managers of this corporation as shall be elected by the members thereof, on the twenty-eighth day of March next ensuing.

Votes.

Provide.

SECTION 6. That no street, lane or alley, road or canal, of any sort whatever, shall ever be opened through any part of the property of said corporation.

Streets, &c., through cemetery.

SECTION 7. That any person or persons who shall carry, shoot off or discharge any gun or fire-arms within the limits of said cemetery grounds, shall be subject to the same pains and penalties as are incurred by those who hunt game in cemeteries or burial grounds, under the provisions of an act, entitled "An Act to protect burial grounds," approved May seventh, one thousand eight hundred and fifty-five.

Penalty for carrying or discharging fire-arms within the grounds.

SECTION 8. That all property, held by said corporation for cemetery purposes, shall be exempt from taxation.

Exempt from taxation.

SECTION 9. That any person or persons, who shall ride or drive over any footway, sidewalk, or other portion of said cemetery grounds, shall be subject to the like pains and penalties as

Penalty for riding or driving over walks, &c.

are incurred by those who violate the seventh section of this act.

E: PENN SMITH,
Speaker of the House of Representatives pro tem.

JOHN P. PENNEY,
Speaker of the Senate pro tem.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 564.

AN ACT

To incorporate the members of the Franklin Street Methodist Episcopal Church of the borough of Johnstown, Cambria County.

Incorporation.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That the members of the Methodist Episcopal church, of the borough of Johnstown, in the county of Cambria, citizens of this commonwealth, be and they are hereby created into a body politic and corporate, in deed and in law, by the name, style and title
Name.	of the Franklin Street Methodist Episcopal church of Johnstown, and by the same shall have perpetual succession, and be able to sue and be sued, to plead and be impleaded, in all courts of law, and elsewhere, and shall be able and capable, in law, to take and to hold, to them and their successors, for the use of the said church, lands and tenements, goods and chattels, of whatsoever kind, nature or quality, real, personal or mixed, which now are, or shall hereafter become, the property of the said church, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person whomsoever, capable of making the same, and the same to grant, bargain, sell, mortgage or dispose of, for the use of the said church: <i>Provided,</i>
Privileges.	That the clear yearly value or income of the said estate shall not exceed the sum of six thousand dollars, and shall not be applied to any other than religious or charitable uses or purposes.
Provide.	SECTION 2. That the officers of the said corporation shall consist of nine trustees, and until an election shall be held, as hereinafter provided, the following named persons shall be trustees, to wit: David Lucas, Cyrus Riley, Napoleon Haynes, David Dibeat, Samuel L. Gorgas, Robert H. Canan, Samuel Douglas, Andrew J. Hawes and John Flanagan.
Persons named to act as trustees until election.	SECTION 3. That on the first Monday in January, Anno Domini one thousand eight hundred and sixty-two, the male members of the said church, citizens of this commonwealth, of
Election and classification of trustees.	

the age of twenty-one years, and members of the said church, in full connection, for the space of one year next preceding, shall elect, by ballot, from among their own number, nine persons, to serve as trustees, three of whom shall serve for the term of three years, three for the term of two years, and three for the term of one year, which terms of service they shall determine, by lot, at their first meeting after their election; and on the first Monday in January, every year thereafter, there shall be elected, as aforesaid, three persons, to serve as, trustees, for the term of three years, in the room of those whose term of service shall then expire; the elections for trustees shall be held in the house of worship belonging to the said church, between the hours of seven and nine o'clock, *post meridian*, on the days aforesaid, and shall be conducted by a judge and two tellers, who shall be chosen *viva voce*, by the male members qualified to vote at the said election, who may be present at the time and place of opening the same; public notice of every such election shall be given in the usual place of public worship of the said church, at the hour appointed for divine service, at least one week previous to the time of holding the election: *Provided*, That if, from any cause, the election of trustees should not be held at the time herein appointed, it shall be held at as early a period thereafter as practicable, of which public notice shall be given, as aforesaid.

When and where held.

How conducted.

Notice.

Provide.

SECTION 4. That the trustees, at their first stated meeting after the passage of this act, and annually, at their stated meeting, in the month of January thereafter, shall elect, from their own number, one person to serve as president, one person as secretary, and one person as treasurer, each for the term of one year; the treasurer shall give bond for the faithful performance of his duties, in such sum as the trustees shall determine.

Officers.

Treasurer to give bond.

SECTION 5. That the stated meetings of the trustees shall be held on the first Monday in each and every month, at such hour as they shall determine; special meetings shall be called by the president, when requested so to do by two of the trustees; at all meetings of the trustees, a majority of the whole number shall constitute a quorum to do business, but a smaller number may adjourn from time to time.

Stated and special meetings of trustees.

SECTION 6. That any vacancy in the number of the said trustees, which may by death, resignation, or by one of their number ceasing to be a member of the said church, shall be filled by the election, by the remaining trustees, at their next stated meeting, of a duly qualified person to serve for the remainder of the vacant term.

Vacancies.

SECTION 7. That no part of the real estate now belonging to the said church, or which in any way may thereafter be acquired thereby, shall at any time be, by the said trustees, granted, bargained, sold, conveyed, mortgaged or otherwise encumbered or disposed of, except by and with the advice and consent of a majority of the male members qualified to vote for trustees, who shall be present at a meeting convened for the purpose, after public notice, from the pulpit, on the Sabbath day.

Real estate not to be sold or mortgaged, except by consent of majority of members.

SECTION 8. That the trustees shall have authority to make, publish and enforce such by-laws, rules and regulations as they may deem proper for the transaction of business of the said

By-laws.

Seal.

Proviso. church, and may make, have and use a common seal: *Provided*, That nothing in the by-laws, rules and regulations aforesaid, shall be repugnant to the constitution or laws of this commonwealth, or to the provisions of this act.

Ministers, relative to. SECTION 9. That the ministers or preachers, who may, from time to time, be appointed to the pastoral charge of the Franklin Street Methodist Episcopal church, of the borough of Johnstown, according to the rules and usages of the Methodist Episcopal church in the United States, shall, at all times, be permitted to exercise their spiritual functions, according to the said rules and usages, in the house or houses of worship belonging to the said church; and nothing herein provided shall, at any time, be taken or construed in opposition to the discipline established by the general conference of the Methodist Episcopal church in the United States.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 565.

AN ACT

To incorporate the Loan Association of the city of Philadelphia.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. Rundle Smith, Thomas Hawksworth, Charles W. Carrigan, Oscar Thompson, Franklin B. Wallis, Frank M'Laughlin and William C. M'Kibben, their associates and successors, be and hereby are incorporated under the name of the Loan association of the city of Philadelphia, to be located in the said city; the **Name.** object of the association shall be, to loan on pledge of goods and chattels only; the capital stock of said association shall be **Object.** raised by subscription, and shall not exceed five thousand shares, of one hundred dollars each; the said association shall have the **Capital stock.** power of borrowing, on its own notes, not exceeding the amount of its capital stock paid in, and shall not exceed the period of one year. **Authorized to borrow money.** SECTION 2. When fifty thousand dollars has been duly subscribed, and twenty-five thousand dollars paid in, the stockholders may organize, as hereinafter provided for, and proceed **When stockholders may organize**

to business under this charter; the charge on all loans to cover expenses of every kind, including interest, shall be uniform, and not exceed a half per centum a month; when the association has disposable funds, it shall loan on all goods and chattels offered, embraced within its rules and regulations, in the order in which they are offered, with this exception, that the association may always discriminate in favor of small loans to the indigent; it shall loan, to three-quarters of the estimated value, on gold and silver plate and ware, and to two-thirds of such value, on all other goods and chattels as aforesaid.

Charge on loans.

How and to what amount loans may be made.

SECTION 3. The government of the association shall be in seven directors, five of whom shall be chosen annually in January, by the stockholders, together with one to be appointed by the governor of this commonwealth, and one to be appointed by the mayor of the city of Philadelphia; and the board thus created shall elect one of their number president, and such other officers as may be deemed necessary.

Directors, how to be chosen.

Officers.

SECTION 4. All loans shall be on a time fixed, and not over one year, and the borrower shall have a right to redeem his property pledged, at any time within the specified period, on payment of the loan and rate of compensation to the time of the offer to redeem; if the property pledged is not redeemed within the time limited, the same shall be sold at public auction, and the net surplus, after paying loan charges and expenses of all kinds, shall be held one year for the owner; if not called for within the year, the same shall go into a fund called "the profit and loss fund," and all losses from loans from failure of title, or other cause, shall be satisfied from said profit and loss fund; the net balance of said fund, at the end of each year, shall be made up to the first of January of each succeeding year, and be given in fuel to the needy, under direction of the board, during the months of January, February and March.

Terms on which loans to be made.

SECTION 5. The association shall give to each person borrowing, a card, inscribed with the name of the association, the article or articles on which the loan is made, the name of the borrower, the amount of the loan, the rate of compensation, the date when made, the date when payable, and the page of the book where recorded; the whole sum annually earned shall be disposed of at the end of each year, and the earnings, to be divided among the stockholders, shall not exceed eight per centum per annum, and the balance shall go into said profit and loss fund, to be distributed in charity, as hereinbefore provided for.

Borrowers to receive cards containing certain entries.

Earnings, how divided, &c.

SECTION 6. The president and directors shall report, annually, to the legislature, full and accurate statistics of the operations and conditions of said association; the stockholders of said association may establish such by-laws, rules and regulations as are necessary for conducting the business of said association, not inconsistent with the laws of this commonwealth; the stock of said association shall be transferable on its books only, at the offices of said association.

To make annual report to legislature.

By-laws.

Transfers.

SECTION 7. That this corporation shall pay into the treasury of the commonwealth a bonus of one half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may

Bonus to state

Individual Liability.

hereafter be imposed by law on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen, and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

ROBT. M. PALMER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

CERTIFICATE.

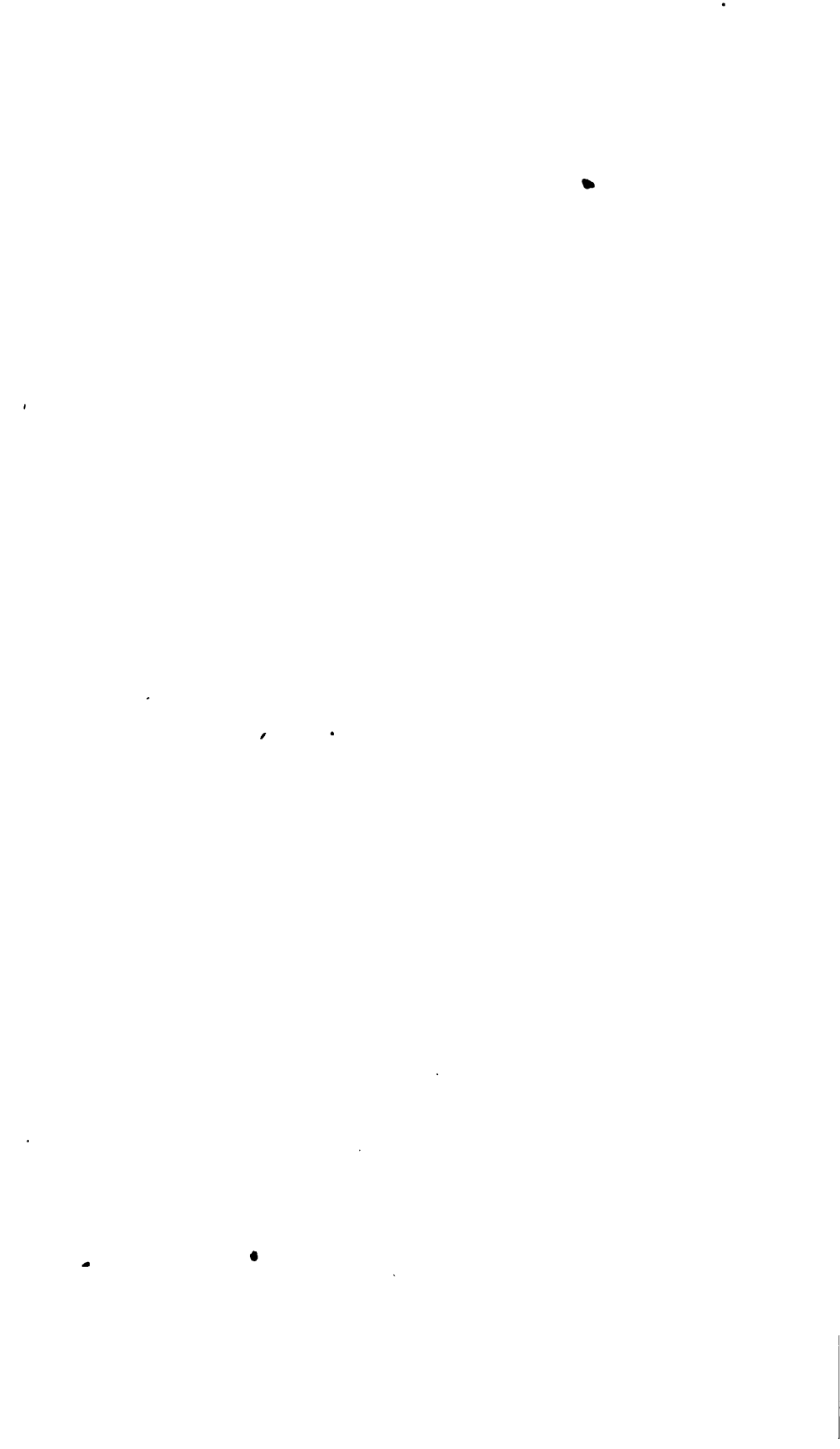
SECRETARY'S OFFICE,

HARRISBURG, *June 3, 1862.*

I certify, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof-sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the eleventh day of April, 1862, including an APPENDIX, containing laws passed at the sessions of 1860 and 1861, upon which the tax has been paid subsequently to the publication of the Pamphlet Laws of 1861.

ELI SLIFER,

Secretary of the Commonwealth.



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